# Application for Pfacement on the Ballot Filed on 12/27/23 in TXSD Page 1 of 78 Exhibit 14, pg.

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: bobby.byars10@gmail.com

Cc: Sue Foley suefoley@townofsanfelipe.net

Date: Friday, January 24, 12:13 PM

Bobby,

I stopped by Town Hall yesterday and today to turn in my application for ballot placement and the City Secretary hasn't been at the office. Do you know when she will return to work?

Thank you,

Kent McAllister
Alderman, San Felipe Texas
P.O. Box 418
San Felipe, TX 77473
kent.mcallister@sanfelipetexas.com
SanFelipeTexas.com

# Re: Application for Placement on the Ballot on 12/27/23 in TXSD Page 2 of 78 Exhibit 14, pg. 2

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: bobby.byars10@gmail.com

Cc: Cynthia Kelly cynthia.kelly@sanfelipetexas.com, 'Derrick Dabney' derrickdabney@gmail.com,

larrygentry93@yhaoo.com

Bcc: Wolf, Jeffrey jeffrey.wolf@dps.texas.gov

Date: Friday, January 31, 2:57 PM

Mr. Mayor,

I stopped by Town Hall at 2:30 today to turn in my application to be placed on the ballot. The City Secretary stated that she didn't have her notary with her and would be unable to accept my application. I pointed to the highlighted line on the form that all oaths, affidavits, ect may be administered by the city secretary as stated on the form and did not require a notary. Ms. Foley stated that she wouldn't argue with me, closing the glass and refused to acknowledge me.

As you know, I have had this issue before and it was clarified by the attorney. Refusing to acknowledge or accept my application while accepting others shows the continued harassment and discrimination I am subjected to although I was assured it would stop by you and the Council. If the City Secretary refuses to accept my application I will be forced to pursue legal remedies and may do so now that it is clear the harassment will continue.

I have copied the Council so they are notified, but would remind all council members not to respond to this email.

Please add an agenda item to the next City Council meeting for discussion and possible action related to the ongoing harassment.

Thank you,

Kent McAllister
Alderman, San Felipe Texas
P.O. Box 418
San Felipe, TX 77473
kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Kent McAllister < kent.mcallister@sanfelipetexas.com>

# San Felipe Application for a place on the Ballot 12/27/23 in TXSD Page 3 of 78 Exhibit 49

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: Sue Foley suefoley@townofsanfelipe.net, bobby.byars10@gmail.com

Cc: travis.koehn@austincounty.com

Bcc: Wolf, Jeffrey jeffrey.wolf@dps.texas.gov

Date: Wednesday, February 19, 11:41 AM

Ms. Foley,

As you know, the deadline for the filing to be placed on the ballot was Friday February 14, 2020. Since Monday was a holiday and the town office was closed, I waited until Tuesday February 18, 2020 to find out what the issue was. I waited from 8:00 am to 10:30 when I was told by the officers you wouldn't be coming in. This was also the last day to turn in a write in application. No election official was available.

According to the notice posted yesterday evening at Town Hall regarding the final names of applicants to be placed on the ballot, I noticed my name has been excluded. My application was turned in on February 7, 2020. Can you please let me know the reason I was excluded and the procedure for appeal of any decision made without my knowledge?

I have reported the ongoing harassment and retaliation to the Mayor and Council many times. It is well documented that I am being retaliated against as a result of notifying the authorities of the suspicious financial activities taking place and confirmed by the auditor. This is just another example of the ongoing harassment.

Thank you,

Kent McAllister

Alderman, San Felipe Texas P.O. Box 418 San Felipe, TX 77473 kent.mcallister@sanfelipetexas.com SanFelipeTexas.com

# RE: Application 463-protein entitied on 12/27/23 in TXSD Page 4 of 78 Exhibit 14, pg. 4

From: travis.koehn@austincounty.com

To: Kent McAllister kent.mcallister@sanfelipetexas.com

Date: Thu, Feb 20, 2020, 5:28 PM

Mr. McAllister---please send/email me a copy of your complaint with secretary of state. Travis J. Koehn.

From: travis.koehn@austincounty.com <travis.koehn@austincounty.com>

Sent: Thursday, February 20, 2020 8:56 AM

To: 'Kent McAllister' <kent.mcallister@sanfelipetexas.com>

Subject: RE: Application for Placement on the Ballot

https://www.sos.state.tx.us/elections/forms/complaintform-sos.pdf Mr. McAllister, this is the site to file complaints about elections.

Travis J. Koehn

Austin County Criminal District Attorney

One East Main, Bellville, TX 77418

Phone: 979.865.5933 Fax: 979.865.5828

travis.koehn@austincounty.com

#### \*\*\*\*\*CONFIDENTIAL\*\*\*\*\*

This electronic mail is confidential. It is intended only for the individual named above. If the person actually receiving this electronic mail, or any other reader of this electronic mail, is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this information in error, immediately notify the sender by telephone or electronic mail to arrange for the return of the information.

From: Kent McAllister < kent.mcallister@sanfelipetexas.com >

Sent: Wednesday, February 19, 2020 1:43 PM

To: travis.koehn@austincounty.com

Subject: Fwd: Application for Placement on the Ballot

Mr. Koehn,

Can you direct me to someone in your office who can answer questions related to filing a complaint? I would like to file a complaint against the town of San Felipe City Secretary for election violations related to the upcoming election. Do I need to contact the Secretary of State to initiate the complaint or is it filed directly with

your office? I would like to find out what document 1-14. Filed on 12/27/23 in TXSD. Page 5 of 78 exhibit 14, pg. 5

Thank you,

Kent McAllister Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Kent McAllister < kent.mcallister@sanfelipetexas.com >

Sent: Friday, January 31, 2020 2:57 PM

To: bobby.byars10@gmail.com

Cc: Cynthia Kelly; 'Derrick Dabney'; larrygentry93@yhaoo.com

Subject: Re: Application for Placement on the Ballot

Mr. Mayor,

I stopped by Town Hall at 2:30 today to turn in my application to be placed on the ballot. The City Secretary stated that she didn't have her notary with her and would be unable to accept my application. I pointed to the highlighted line on the form that all oaths, affidavits, ect may be administered by the city secretary as stated on the form and did not require a notary. Ms. Foley stated that she wouldn't argue with me, closing the glass and refused to acknowledge me.

As you know, I have had this issue before and it was clarified by the attorney. Refusing to acknowledge or accept my application while accepting others shows the continued harassment and discrimination I am subjected to although I was assured it would stop by you and the Council. If the City Secretary refuses to accept my application I will be forced to pursue legal remedies and may do so now that it is clear the harassment will continue.

I have copied the Council so they are notified, but would remind all council members not to respond to this email.

Please add an agenda item to the next City Council meeting for discussion and possible action related to the ongoing harassment.

Thank you,

Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 6 of 78 Exhibit 14, pg. 6

Kent McAllister

Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Kent McAllister < kent.mcallister@sanfelipetexas.com >

Sent: Friday, January 24, 2020 12:13 PM

To: bobby.byars10@gmail.com

Cc: Sue Foley

Subject: Application for Placement on the Ballot

Bobby,

I stopped by Town Hall yesterday and today to turn in my application for ballot placement and the City Secretary hasn't been at the office. Do you know when she will return to work?

Thank you,

Kent McAllister

Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

# Re: San Felipe Election Complaints 1-14 Filed on 12/27/23 in TXSD Page 7 of 78 Exhibit 14, pg. 7

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: Brandy Robinson brandy.robinson@austincounty.com, Cynthia Kelly

cynthia.kelly@sanfelipetexas.com, 'Jeffrey Davidson' jeffreyldavidson@gmail.com

Cc: Travis Koehn travis.koehn@austincounty.com

Date: Friday, February 21, 12:05 PM

Brandy,

I had already prepared a freedom of information request and will be delivering it to the city office today.

Thank you,

Kent McAllister

Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Brandy Robinson <a href="mailto:shrandy.robinson@austincounty.com">brandy.robinson@austincounty.com</a>

Sent: Friday, February 21, 2020 12:03:17 PM

To: Cynthia Kelly <cynthia.kelly@sanfelipetexas.com>; Kent McAllister

<kent.mcallister@sanfelipetexas.com>; 'Jeffrey Davidson' <jeffreyldavidson@gmail.com>

Cc: Travis Koehn <travis.koehn@austincounty.com>

Subject: San Felipe Election Complaints

I spoke with a person in the Secretary of State's Office this morning and advised them your complaints would be forthcoming.

They informed me it would be helpful in their process if candidates whose filings have been rejected could do a Public Information Act request for a copy of the applications of every single candidate (both the applications that were accepted as well as those that were rejected).

This may help the Secretary of State's Office to compare the applications and evaluate the case better.

We continue to look into this matter.

Please feel free to call me or District Attorney Travis Koehn if you have any questions.

Thank you, Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 8 of 78 Exhibit 14, pg. 8

**Brandy Robinson** 

First Assistant Criminal District Attorney

One E. Main St.

Bellville, TX 77418

(979) 865-5933

FAX (979) 865-5828

Brandy.robinson@austincounty.com

#### Freedom of Information Request

Kent McAllister P O Box 418 San Felipe, Texas 77473

February 21, 2020

Principal sold

Ms. Sue Foley City Secretary Town of San Felipe 927 Sixth Street San Felipe, Texas 77473

Dear Ms. Foley

Under the Texas Public Information Act, §6252-17a et seg., I am requesting an opportunity to inspect or obtain copies of public records for:

- 1. Copies of all the Town of San Felipe City Attorney bills from April of 2019 to February of 2020.
- 2. Copies of all 2020 Applications for placement on the Town of San Felipe General Election Ballot, for the May 2, 2020 election to include those applications that were denied and accepted.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of donated monies. This information is not being sought for commercial purposes.

The Texas Public Information Act requires that you "promptly produce" the requested records unless, within 10 days you have sought an Attorney General's Opinion. If you expect a significant delay in responding to this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely, Mcc. (...

## Video of Attempt to turn in application Filed on 12/27/23 in TXSD Page 10 of 78 Exhibit 14, pg. 10

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: brandy.robinson@austincounty.com

Date: Mon, Feb 24, 2020, 8:58 AM

IMG\_3520.MOV 5.8 MB

Brandi,

I video record all of my activities when at the town hall. It is necessary to protect myself from false claims. I have attached the video of me attempting to turn in my application. This is the type of behavior I am consistently subjected to by the city secretary. This video was recorded when I attempted to turn in my application paperwork.

Each time I have signed up, the city secretary has claimed to have left her notary at home. I turned in a public information request for each application, and it became clear that her notary is only available for certain people.

This issue was clarified by the Secretary of State and our city attorney. The city secretary can attest to our application with her signature. A notary is not needed.

I will forward a copy of the Secretary of State's email.

Thank you,

Kent McAllister
Alderman, San Felipe Texas
P.O. Box 418
San Felipe, TX 77473
kent.mcallister@sanfelipetexas.com
SanFelipeTexas.com

San Felipe, Austin Case 14: 23:40:40 48:15 on 20 ocument 1-14 Filed on 12/27/23 in TXSD Page 11 of 78

Exhibit 14, pg. 11

From: Heidi Martinez HMartinez@sos.texas.gov

To: Kent McAllister kent mcallister@sanfelipetexas.com

Cc: Elections Internet Elections@sos.texas.gov

Date: Mon, Mar 2, 2020, 2:07 PM

Thank you for your inquiry.

Section 141.031 of the Election Code provides the general requirements for a candidate application. The information regarding the office sought does not have to be stylized any certain way, as long as the filing authority can determine which office the candidate is applying for. If the office sought has a place number or other distinguishing number, that information must be included in the candidate application pursuant to Section 141.031 of the Code.

Sec. 141.031. GENERAL REQUIREMENTS FOR APPLICATION. (a) A candidate's application for a place on the ballot that is required by this code must:

- (1) be in writing:
- (2) be signed and sworn to before a person authorized to administer oaths in this state by the candidate and indicate the date that the candidate swears to the application;
- (3) be timely filed with the appropriate authority; and
- (4) include:
- (A) the candidate's name;
- (B) the candidate's occupation;
- (C) the office sought, including any place number or other distinguishing number;
- (D) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office to be voted on have the same title but do not have place numbers or other distinguishing numbers;
- (E) a statement that the candidate is a United States citizen;
- (F) a statement that the candidate has not been determined by a final judgment of a court exercising probate jurisdiction to be:
- (i) totally mentally incapacitated; or
- (ii) partially mentally incapacitated without the right to vote;
- (G) a statement that the candidate has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities;
- (H) the candidate's date of birth;
- (I) the candidate's residence address or, if the residence has no address, the address at which the candidate receives mail and a concise description of the location of the candidate's residence;
- (J) the candidate's length of continuous residence in the state and in the territory from which the office sought is elected as of the date the candidate swears to the application;
- (K) the statement: "I, \_\_\_\_\_, of \_\_\_\_ County, Texas, being a candidate for the office of \_\_\_\_\_, swear that I will support and defend the constitution and laws of the United States and of the State of Texas";
- (L) a statement that the candidate is aware of the nepotism law, Chapter 573, Government Code; and
- (M) a public mailing address at which the candidate receives correspondence relating to the candidate's campaign, if available, and an electronic mail address at which the candidate receives correspondence relating to the candidate's campaign, if available.
- (b) Instead of the statement required by Subsection (a)(4)(F), a candidate eligible for office because of Section 1.020(a) shall include in the application a statement that the person's mental capacity has been completely restored by a final judgment of a court.
- (c) Instead of the statement required by Subsection (a)(4)(F), a candidate eligible for office because of Section 1.020(b) shall include in the application a statement that the person's guardianship has been modified to include the right to vote or the person's mental capacity has been completely restored, as applicable, by a final judgment of a court.
- (d) The secretary of state may prescribe a different form for an application for a place on the ballot for each of the following:
- (1) an office of the federal government;
- (2) an office of the state government; or
- (3) an office of a political party.

Section 141.032 of the Code provides that the candidate application review must be completed no later than the 5<sup>th</sup> day after the application is received (unless there is a petition). Accepting the application does not preclude a later determination that there is a deficiency in the application. Please note, pursuant to Section 141.034 of the Code, an application cannot be challenged in regards to form, content, and procedure after the day before any ballot by mail is mailed for an election. Further, Section 141.032(g) of the Code provides that after the filing deadline, a candidate may not amend an application filed under Section 141.031 of the Code and the authority with whom the application is filed may not accept an amendment to an application filed under Section 141.031 of the Code.

Please note, if a candidate believes that his/her candidate application was rejected in error, they may file an action in district court. We recommend consulting with your local legal counsel regarding that action.

All references are to the Texas Election Code (unless otherwise cited) available here: http://www.statutes.legis.state.tx.us/Index.aspx

We hope this information will be helpful to you.

#### 

Exhibit 14, pg. 12

Heidi Martinez

Staff Attorney - Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per \$31,004 of the Texas Election Code. It is not intended to serve as a logal opinion for any matter. Flease review the law yourself, and consult with an attorney when your logal rights and the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with an attorney when your logal rights are along the consult with a consul

From: Kent McAllister < kent.mcallister@sanfelipetexas.com >

Sent: Saturday, February 29, 2020 8:11 AM

To: Brandy Robinson < brandy.robinson@austincounty.com>

Cc: 'Jeffrey Davidson' <ienter | Sections | Jeffrey | Je

Subject: San Felipe, Austin County Texas

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informations equity @sos.texas.cov.

Brandy.

I want to make sure I understand and follow the process to appeal the rejection of my application to be placed on the ballot. I haven't been provided any information on how I am supposed to appeal the decision. I also haven't been able to find a description of the process in the election code. My complaint with the Secretary of States office is related to election fraud for being targeted for rejection, but the appeal process should be separate, right? The city secretary/election judge shouldn't be able to eliminate candidates at will without any oversight or recourse. I'm concerned that we could be waiting on a decision from the Secretary of State or it may have been or will get forwarded to the Ranger, but that doesn't have anything to do with our right to appeal or make corrections before the election. We shouldn't have been rejected in this manner and the rejection letter doesn't provide any notice of an appeal process. Does the city secretary/election judge have the authority to eliminate candidates without appeal?

The rejection letter has a check marked on the line that says "the office sought was not on the application". Although my application has an empty box at the top, the application clearly states that I am seeking the office of "alderman" on the application. The rejection letter doesn't speak of a specific box. It states "the office sought was not on the application."

commonly known by this nickname for at least three years prior to this e

Bufore me, the undersigned authority, on this day personally appeared ( here and now duty sworn, upon path says

 Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 13 of 78 Exhibit 14, pg. 13

further swear that the foregoing statements included in my application

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gnature of Officer Administering Oatn <sup>4</sup>	Title of
O BE COMPLETED BY CITY SECRETARY OR SECRETARY OF See Section 1.007)	According to the second
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Deiradol	

The city secretary/election judge had multiple opportunities to notify me of any issues with my application including the city Council meeting held the night of February 10, 2020. Three days after I was finally able to turn in my application and two days before the rejection letter was written. The city secretary/election judge has my phone number and email address. I also have a mailbox at City Hall.

In addition. Cynthia Kelly and myself were both incumbent candidates, which common sense would suggest that we would be running for the positions we already held since no other positions were available. I documented in writing two separate attempts to turn in my application in January when no one was at city hall along with a third attempt where I was rejected by the city secretary/election judge who refused to attest to my application.

#### Timeline of Events

- 1. My application was turned in and "accepted" on February 7, 2020.
- 2. The rejection letter I received was dated February 12, 2020 or 5 days after I turned in my application.
- 3. The last day for sign up was Friday February 14, 2020 or 7 days after I turned in my application. Names on ballots not posted as normal.
- 4. February 17, 2020 was Presidents' Day.
- 5. The last day for write-in was February 18, 2020. The City secretary/election judge did not show up for work.
- 6. The 3 applications accepted have the voter registration verification box checked and dated February 19, 2020 or 12 days after I turned in my application.
- 7. I filed a complaint with the SOS on February 19, 20202.
- 8. The rejection letter was mailed February 20, 2020 or 18 days after I turned in my application.

Everyone filling out @ase: 4:23 cv + 04815 ing Document 1-14 ion Filedron s12/27/23 intitax SDava Rage 14 of 78

Exhibit 14, pg. 14

I need to make sure this information is available to who ever is reviewing my complaint at the Secretary of State. How do I appeal the city secretaries/ election judge decision since evidence exists that contradicts the cause for rejection?

Can you tell me what code or law explains the process of rejection? Does the city secretary/election judge have the right to reject applications without any appeal process? Is the only recourse available to rejected candidates to file an expensive lawsuit?

I still haven't received any kind of formal acceptance or acknowledgment of my complaint from the Secretary of State. I plan to call Monday to find out the status and process for appeal.

Thank you.

Kent McAllister
Alderman, San Felipe Texas
P.O. Box 418
San Felipe, TX 77473
kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Kent McAllister < kent.mcallister@sanfelipetexas.com>

Sent: Friday, February 28, 2020 11:32:22 AM

To: Brandy Robinson < brandy.robinson@austincounty.com>

Subject: Copies of all Applications

Brandy.

After arriving at city hall, I waited while my PIA request for all applications to be placed on the ballot was processed. It was clear no attempt had been made to collect the information over the last 10 days I was told I would have to wait. PIA request are not handled in this way and being forced to wait 10 days is a violation of the Public Information Act. In addition, Ms. Foley hadn't prepared the city attorney invoices as requested in my PIA. I was told I would have to wait until next week.



11675 Jollyville Road Suite 300 Austin, Texas 78759

Phone: (512) 250-0411

Fax: (512) 250-0749

TexasMunicipalLawyers.com

March 6, 2020

The Honorable Attorney General Ken Paxton Office of the Attorney General of the State of Texas Attention: Open Records Division P.O. Box 12548 Austin, Texas 78711-2548 via efiling: 66091138

Re: Request for Open Records Decision: Town of San Felipe/McAllister

Honorable Attorney General Paxton:

On behalf of the Town of San Felipe (the "Town"), I respectfully submit this request for a decision from the Office of the Attorney General regarding the Town's authority to withhold from the public certain requested information. This request is submitted pursuant to the Texas Public Information Act, Tex. Gov't Code § 552.301.

On February 21, 2020, the Town received a public information request from Kent McAllister ("Requestor") for the following, in part:

"Copies of all the Town of San Felipe City Attorney bills from April of 2019 to February of 2020." See Exhibit A.

The Town has released to the requestor information responsive to the remainder of the request. Pursuant to section 552.301 of the Government Code, the Town hereby requests a decision from the Attorney General about whether the requested information is excepted from disclosure under the Public Information Act (the "Act"). Specifically, the Town claims that the requested information is not information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body or is excepted from disclosure as: (1) information made confidential by law under section 552.101; (2) certain personnel information under section 552.102; (3) information concerning litigation or settlement negotiations involving the state or a political subdivision under section 552.103; (4) information relating to competition or bidding under 552.104; (5) information relating to location or price of property under section 552.105; (6) information relating to certain legislative documents under section 552.106; (7) information pertaining to certain legal matters under section 552.107; (8) information concerning certain law enforcement records under section 552.108; (9) information regarding execution of convict under

Exhibit 14, pg. 16

Honorable Attorney General March 6, 2020 Page 2 of 3

section 552.1081; (10) sensitive crime scene image under section 552.1085; (11) information concerning certain private communications of an elected office-holder under section 552,109; (12) certain trade secrets and certain commercial information under section 552.110; (13) agency memoranda under section 552.111; (14) certain information related to the regulation of financial institutions or securities under section 552.112 (15) geological or geophysical information under section 552.113; (16) student records under section 552.114; (17) birth and death records under section 552.115; (18) audit working papers under section 552.116; (19) information concerning certain addresses, telephone numbers, social security numbers, and personal family information of public officials and employees, peace officers, Texas Department of Criminal Justice Employees, and certain law enforcement personnel under section 552.117; (20) confidentiality of addresses, telephone numbers, social security numbers, and personal family information of peace officers. county jailers, security officers, and employees of Texas Department of Criminal Justice or a prosecutor's office under section 552.1175; (21) confidentiality of certain information maintained by state bar under section 552.1176; (22) official prescription program information under section 552.118; (23) photographs of peace officers under section 552.119; (24) rare books and original manuscripts under section 552.120; (25) certain documents held for historical research under section 552.121; (26) test items under section 552.122; (27) names of applicants for Chief Executive Officer of Institutions of Higher Education under section 552.123; (28) identity of private donor to institution of higher education under section 552.1235; (29) records of library or library system under section 552.124; (30) certain audits under section 552.125; (31) name of applicant for superintendent of public school district under section 552.126; (32) personal information relating to participants in neighborhood crime watch organizations under section 552.127; (33) certain information submitted by a potential vendor or contractor under section 552.128; (34) motor vehicle inspection information under section 552.129; (35) motor vehicle record information under section 552.130; (36) information relating to economic development negotiations under section 552.131; (37) confidentiality of crime victim or claimant information under section 552.132; (38) crime victim impact statement under section 552.1325; (39) public power utility information related to competitive matter under section 552.133; (40) certain information relating to inmate of Department of Criminal Justice under section 552.134; (41) school district informers under section 552.135; (42) confidentiality of credit card, debit card, charge card, and access device numbers under section 552.136; (43) confidentiality of certain email addresses under section 552.137; (44) information relating to family violence shelter center and sexual assault program information under section 552.138; (45) government information related to security issues for computers under section 552.139; (46) military discharge records under section 552.140; (47) information in application for marriage license under section 552.141; (48) records subject to order of nondisclosure under section 552.142; (49) civil penalty for dissemination of certain criminal history information under section 552.1425; (50) confidentiality of certain investment information under section 552.143; (51) working papers and electronic communications of administrative law judges at State Office of Administrative Hearings under section 552.144; (52) Texas No-Call List under section 552.145; (53) certain communications with assistant or employee of Legislative Budget Board under section 552.146; (54) the social security number of living persons under section 552.147; (55) certain personal information maintained by municipality pertaining to a minor under section 552.148; (56) records of comptroller or appraisal district received from private entity under section 552,149; (57) information that could

Honorable Attorney General March 6, 2020 Page 3 of 3

compromise safety of officer or employee of Hospital District under section 552.150; (58) information regarding select agents under section 552.151; (59) information concerning public employee or officer personal safety under section 552.152; (60) information concerning proprietary records and trade secrets involved in certain partnerships under section 552.153; (61) information concerning name of applicant for Executive Director, Chief Investment Officer, or Chief Audit Executive of Teacher Retirement System of Texas under section 552.154; (62) information concerning certain property tax appraisal photographs under section 552.155; (63) information concerning continuity of operations plan under section 552.156; and (64) confidentiality of personal information regarding applicant for appointment by Governor.

If there are any third parties whose proprietary interests may be implicated by the release of the requested information, the Town will notify them pursuant to section 552.305 of the Act of their right to submit comments to you as to why the information should not be released.

In accordance with section 552.301(e) of the Act, the Town will be sending, within fifteen (15) business days of the date that it received the request for information: (1) written comments stating the reasons why the stated exceptions apply that would allow the information at issue to be withheld from the requestor; (2) a copy of the written request for information indicating the date on which it was received by the Town or a statement certifying when the Town received it; and (3) a copy of the specific information requested, or representative samples of the information, labeled to indicate which exceptions to disclosure apply to which parts of the copy.

Sincerely,

Cristian Rosas-Grillet

Assistant City Attorney, Town of San Felipe

Attachments: Exhibit A – Original Request

Cc: Kent McAllister, Requestor

PO Box 418

San Felipe, TX 77473

# San Felipe applications to be on patrol 2018 on 12/27/23 in TXSD Page 18 of 78 Exhibit 14, pg. 18

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: brandy.robinson@austincounty.com

Date: Friday, March 13, 10:48 AM

2018 applications showing errors and corrections by city secretary.pdf 1.1 MB

Brandy,

I have attached copies of the applications to be placed on the ballot from the 2018 election. The copies are very hard to read so I am also attaching pictures of the same documents.

The city secretary/election judge clearly corrected the applications previously. She completed portions of the application for Mr. Bonner when he applied. The city secretary always manages to have her notary for certain people and not for others. I'm providing this information to you as further evidence of discrimination and retaliation by the San Felipe administration. I requested a copy of the attorneys invoices through a public information act request to determine whether or not these issues were discussed prior to the rejections of certain applications. I believe the information will provide support that the rejections were planned ahead of time.

If you have any questions or require additional information, please contact me at 281-961-0334.

lmage.jpeg

lmage.jpeg

lmage.jpeg

Thank you,

Kent McAllister Alderman, San Felipe Texas P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

# San Felipe Popeli 2 Records / Nearms to 1-242 Filed on 12/27/23 in TXSD Page 19 of 78 Exhibit 14, pg. 19

From: Sasha Swaner sasha@texasmunicipallawyers.com

To: Kent McAllister kent.mcallister@sanfelipetexas.com

Cc: suefoley@townofsanfelipe.net

Date: Fri, Mar 13, 2020, 3:51 PM

McAllister 10 Day Letter.pdf 136 KB

Mr. Kent:

See attached correspondence, that was mailed to you on March 6, 2020.

Please advise immediately should you have any problem opening the attachments.

#### Sasha Swaner

Executive Assistant / Paralegal to Alan Bojorquez

Bojorquez Law Firm, PC

11675 Jollyville Road, Suite 300

Austin, Texas 78759

Work: (512) 250-0411

Fax: (512) 250-0749

Email: Sasha@TexasMunicipalLawyers.com



NOTICE -This transmission may be: (1) subject to the Attorney-Client Privilege, (2) attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only), and delete the message. Unauthorized interception of this e-mail is a violation of federal criminal law. Unless otherwise noted, this message does not create an attorney-client relationship in the absence of such an existing relationship.

Re: San Felipse/Open-Red 5 respundentilister Filestop 42/27/23 in TXSD Page 20 of 78
Exhibit 14, pg. 20

From: Kent McAllister kent.mcallister@sanfelipetexas.com

To: Sasha Swaner sasha@texasmunicipallawyers.com

Cc: Cynthia Kelly cynthia.kelly@sanfelipetexas.com

Date: Thu, Mar 26, 2020, 10:59 AM

Ms. Swaner,

Please be advised that Alderwoman Cynthia Kelly and myself discovered financial irregularities in the Town of San Felipe. A criminal investigation was initiated and is still ongoing. I believe the actions taken to reject the candidates applications to be placed on the ballot was a criminal act and I have forwarded all related documentation to the law-enforcement investigating the matter. As a participating member of TML, I am familiar with your firms reputation and involvement in the organization. I thought your firm should be aware of the situation to enable you to make informed decisions.

Thank you,

Kent McAllister Alderman, San Felipe Texas P.O. Box 418

P.O. BOX 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Sasha Swaner <sasha@texasmunicipallawyers.com>

Sent: Monday, March 16, 2020 4:59 PM

To: Kent McAllister

Cc: suefoley@townofsanfelipe.net

Subject: RE: San Felipe/Open Records/McAllister 2.21.20

Mr. McAllister,

I've attached the redacted versions for the months of January and February 2020, per your request.

Thank you,

Sasha Swaner

Executive Assistant / Paralegal to Alan Bojorquez Filed on 12/27/23 in TXSD Page 21 of 78
Exhibit 14, pg. 21

Bojorquez Law Firm, PC Work: (512) 250-0411

From: Kent McAllister < kent.mcallister@sanfelipetexas.com>

Sent: Monday, March 16, 2020 9:12 AM

To: Sasha Swaner <sasha@texasmunicipallawyers.com>

Cc: suefoley@townofsanfelipe.net

Subject: Re: San Felipe/Open Records/McAllister 2.21.20

Ms. Swaner,

The freedom of information request dated February 21, 2020 I sent asked for copies of all Town of San Felipe city attorney bills from April 2019 to February 2020. The information you provided excluded January and February of 2020. Please provide the requested information as stated in the freedom of information request.

Thank you,

Kent McAllister

Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

From: Sasha Swaner < sasha@texasmunicipallawyers.com>

Sent: Friday, March 13, 2020 2:59 PM

To: Kent McAllister

Cc: suefoley@townofsanfelipe.net

Subject: San Felipe/Open Records/McAllister 2.21.20

Mr. McAllister,

See attached correspondence.

Please advise immediately should you have any problem opening the attachments.

#### Sasha Swaner

Executive Assistant / Paralegal to Alan Bojorquez Filed on 12/27/23 in TXSD Page 22 of 78
Executive Assistant / Paralegal to Alan Bojorquez Exhibit 14, pg. 22

Bojorquez Law Firm, PC

11675 Jollyville Road, Suite 300

Austin, Texas 78759

Work: (512) 250-0411

Fax: (512) 250-0749

Email: Sasha@TexasMunicipalLawyers.com



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March 13, 2020

11675 Jollyville Road Suite 300 Austin, Texas 78759

The Honorable Attorney General Ken Paxton Office of the Attorney General of the State of Texas Attention: Open Records Division P.O. Box 12548 Austin, Texas 78711-2548 via efiling: 66091616

Phone: (512) 250-0411

Fax: (512) 250-0749

TexasMunicipalLawyers.com

Re: Request for Open Records Decision: Town of San Felipe/McAllister

Honorable Attorney General Paxton:

On behalf of the Town of San Felipe (the "Town"), I respectfully submit this request for a decision from the Office of the Attorney General regarding the Town's authority to withhold from the public certain requested information. This request is submitted pursuant to the Texas Public Information Act, Tex. Gov't Code § 552.301.

On February 21, 2020, the Town received a public information request from Kent McAllister ("Requestor") for the following, in part:

"Copies of all the Town of San Felipe City Attorney bills from April of 2019 to February of 2020." See Exhibit A.

The Town has released to the requestor information responsive to the remainder of the request. However, the Town believes that portions of the remaining information responsive to this request, submitted as **Exhibit B** is confidential and excepted from public release and therefore requests a decision as to whether the responsive documents are excepted from disclosure pursuant to the following:

#### Texas Rule of Evidence 503 – Attorney-Client Privilege

The Town submits the following written comments in support of its reasons why the stated exceptions apply in accordance with Texas Government Code Section 552.301(e) below.

#### **Brief in Support**

I. TEX. R. EVID. 503 – Attorney Client Privilege

Honorable Attorney General March 11, 2020 Page 2 of 3

We note the submitted information is subject to section 552.022 of the Government Code. Section 552.022(a) provides, in relevant part:

- (a) [T]he following categories of information are public information and not excepted from required disclosure unless made confidential under this chapter or other law:
  - (16) information that is in a bill for attorney's fees and that is not privileged under the attorney-client privilege[.]

Gov't Code § 552.022(a)(16). However, the Texas Supreme Court has held the Texas Rules of Evidence and Texas Rules of Civil Procedure are "other law" within the meaning of section 552.022. See In re City of Georgetown, 53 S.W.3d 328, 336 (Tex. 2001).

Texas Rule of Evidence 503(b)(1) provides:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made to facilitate the rendition of professional legal services to the client:

- (A) between the client or the client's representative and the client's lawyer or the lawyer's representative;
- (B) between the client's lawyer and the lawyer's representative;
- (C) by the client, the client's representative, the client's lawyer, or the lawyer's representative to a lawyer representing another party in a pending action or that lawyer's representative, if the communications concern a matter of common interest in the pending action;
- (D) between the client's representatives or between the client and the client's representative; or
- (E) among lawyers and their representatives representing the same client.

TEX. R. EVID. 503(b)(1). A communication is "confidential" if not intended to be disclosed to third persons other than those to whom disclosure is made to further the rendition of professional legal services to the client or reasonably necessary to transmit the communication. *Id.* 503(a)(5). Thus, in order to withhold attorney-client privileged information from disclosure under rule 503, a governmental body must (1) show the document is a communication transmitted between privileged parties or reveals a confidential communication; (2) identify the parties involved in the communication; and (3) show the communication is confidential by explaining it was not intended to be disclosed to third persons and it was made in furtherance of the rendition of professional legal services to the client. Upon a demonstration of all three factors, the information is privileged and confidential under rule 503, provided the client has not waived the privilege or the document

Honorable Attorney General March 11, 2020 Page 3 of 3

does not fall within the purview of the exceptions to the privilege enumerated in rule 503(d). *Huie v. DeShazo*, 922 S.W.2d 920, 923 (Tex. 1996) (privilege extends to entire communication, including facts contained therein); *In re Valero Energy Corp.*, 973 S.W.2d 453, 457 (Tex. App.—Houston [14th Dist.] 1998, orig. proceeding) (privilege attaches to complete communication, including factual information).

The information subject to section 552.022(a)(16) we have marked consists of privileged attorney-client communications under rule 503. The information we have marked in the fee bills include privileged attorney-client communications between town attorneys, town attorney representatives, town officials, and town employees that were made in furtherance of the rendition of professional legal services to the Town. These communications were intended to be, and have remained, confidential. Therefore, the Town asserts that the information at issue in **Exhibits B** is excepted from disclosure pursuant to Rule 503 of the Texas Rules of Evidence.

#### Conclusion

For the reasons explained above, the Town seeks permission to withhold the submitted information. A copy of this correspondence, without exhibits, will be provided to the Requestor. Please contact me if you have any questions regarding this matter. Thank you for your consideration.

Sincerely,

Cristian Rosas-Grillet

Assistant Town Attorney, Town of San Felipe

Attachments: Exhibit A – Original Request

Exhibit B - Responsive Documents

Cc: Kent McAllister, Requestor

PO Box 418

San Felipe, TX 77473



12325 Hymeadow Drive, Ste. 2-100 Austin, Texas 78750 Email: Info@TexasMunicipalLawyers com Phone: (512) 250-0411 Fax: (512) 250-0749



INVOICE

Number 8249 Issue Date 9/30/2019 Due Date 10/31/2019

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473

#### San Felipe-Pubic Works

Time Entry	Billed By	Rate	Hours	Sub
9/24/2019 Email to to check Telephone call to T. Collins at the TCEQ to discuss. Email to	Tad Cleaves	\$170.00	0.90	\$153.00

Time Entries	0.90	\$153.00
Total		

Total for San Felipe-Pubic	\$153.00
Works	

### San Felipe-General

Time Entry	Billed By	Rate	Hours	Sub
8/28/2019 Email to to to	Tad Cleaves	\$170.00	0.20	\$34.00
8/29/2019 Review and revise budget notice	Alessandra Gad	\$155.00	0.50	\$77.50
8/30/2019  Received and reviewed email and attachment from regarding  in emails to Email to regarding	Tad Cleaves	\$170.00	0.40	\$68.00
9/4/2019 Call from regarding	Tad Cleaves	\$170.00	0.30	\$51.00
9/11/2019 Telephone call from and the related to	Tad Cleaves	\$170.00	0.30	\$51.00

Case 4:23-cv-04815 Document 1-14	Filed on 1 Billed By	.2/27/23 in TXSD Rate	Page 27 (	
9/12/2019 Confer with to discuss the Telephone call to to	Tad Cleaves	\$170.00	0.80	\$136.00
9/12/2019 Telephone call from regarding	Tad Cleaves	\$170.00	0.20	\$34.00
9/24/2019 Received, reviewed and responded to regarding	Tad Cleaves	\$170.00	0.40	\$68.00
9/25/2019 Telephone call from related to Telephone call to to discuss this situation further. Began review of potential City options moving forward.	Tad Cleaves	\$170.00	1.20	\$204.00
9/26/2019 Evaluate next steps concerning tax and budget	Alessandra Gad	\$155.00	0.60	\$93.00
9/26/2019 Received and reviewed several email threads related to Reviewed tax statutes, caselaw and AG opinions for options. Drafted legal opinion email to the Telephone call with to discuss  Drafted  Email to	Tad Cleaves	\$170.00	3.20	\$544.00
		Time Entries Total	8.10	\$1,360.50
Expense	Billed By	Price	Qty	Sub
Westlaw on-line research	Geri Jarl	\$27.00	1.00	\$27.00
		Expenses Total:	1.00	\$27.00
		Total for San Felipe-Ge	neral	\$1,387.50
San Felipe-Open Records				
Time Entry	Billed By	Rate	Hours	Sub
8/28/2019 Kelly - analyze request and advise regarding	Erin A Higginbotham	\$170.00	0.20	\$34.00

	Case 4:23-cv-04815 Document 1-14	Filed on 12/27/2 Billed By	3 in TXSD Rate	Page 28 of 78	
i ! !	S/3/2019  Kelly - review sample of responsive documents and redact information that is confidential by law; draft letter the town is required to send to requestor when information is redacted under section 552.136; and draft brief to the Attorney General requesting permission to withhold information that is confidential by law.	Erin A Higginbotham	\$170.00	2.10	\$357.00
	6/4/2019 Kelly - confer with regarding	Erin A Higginbotham	\$170.00	0.70	\$119.00
) (	M4/2019 Kelly - finalize and file request for decision to the Attorney General's office; redact responsive documents to make available to requestor; prepare copies of AG correspondence to be sent to requestor.	Erin A Higginbotham	\$170.00	1.80	\$306.00
H	6/6/2019  Kelly - review response from requestor, draft and send esponse to requestor and advise and regarding	Erin A Higginbotham	\$170.00	1.10	\$187.00
	v/9/2019 Kelly - Confer with regarding	Erin A Higginbotham	\$170.00	0.30	\$51.00
	/9/2019 sssist with	Alan Bojorquez	\$225.00	0.20	\$45.00
F	/9/2019 Review correspondence from and analyze ext steps.	Britney Long	\$100.00	0.20	\$20.00
	/11/2019 repared and mailed CMRRR letter	Kevin L Campbell	\$100.00	0.50	\$50.00
K	/13/2019 elly - Prepare and forward supplemental documents to ttorney General, client and requestor.	Britney Long	\$100.00	0.30	\$30.00
K	/13/2019 elly - mark 258 pages of responsive documents to prepare or submission to the Attorney General and release to the equestor.	Erin A Higginbotham	\$170.00	1.90	\$323.00
	eviewed . Email to	Tad Cleaves	\$170.00	0.40	\$68.00
K	elly - Review correspondence from confirming ; provide pocuments to	Britney Long	\$100.00	0.20	\$20.00

	Case 4:23-cv-04815	Document 1-14	Filed on 12/	27/23 in TXSD Rate	Page 29 of	
	9/25/2019 McAllister 9.18.19 - Initial review of publi request and analyze next steps.	ic information	Britney Long	\$100.00	0.30	\$30.00
				Time Entries Total	10.20	\$1,640.00
	Expense		Billed By	Price	Qty	Sub
	Postage CMRRR Legal Envelope		Kevin L Campbell	\$13.65	1.00	\$13.65
	IRS 2019 Mileage Rate \$.58 Mileage to/from Post Office - 2.2 miles @	② \$.58	Kevin L Campbell	\$1.28	1.00	\$1.28
				Expenses Total:	2.00	\$14.93
				Total for San Felipe- Re	Open	\$1,654.93
,	San Felipe-Litigation					
	Time Entry		Billed By	Rate	Hours	Sub
	9/5/2019  Received and reviewed case. Email to and Telephone call to attorney to discuss. Telephone call to the plaintiff representation.	to co requesting	Tad Cleaves	\$170.00	1.60	\$272.00
				Time Entries Total	1.60	\$272.00
				Total for San Fe	alipe- ation	\$272.00
				Total (U	ISD)	\$3,467.43
					Paid	\$0.00
				Bala	ance	\$3,467.43
				I-8185 Previous Bal	ance	\$1,819.50
				Total Outstan	ding	\$5,286.93

### Terms & Conditions

Exhibit 14, pg. 30

Make checks payable to Bojorquez Law Firm, PC
Tax ID#27-0818127
ALL PAST DUE AMOUNTS ARE SUBJECT TO INTEREST CHARGES

### **Timekeeper Totals**

Name	Rate	Hours	Total
Tad Cleaves	\$170.00	9.90	\$1,683.00
Erin A Higginbotham	\$170.00	8.10	\$1,377.00
Alessandra Gad	\$155.00	1.10	\$170.50
Britney Long	\$100.00	1.00	\$100.00
Kevin L Campbell	\$100.00	0.50	\$50.00
Alan Bojorquez	\$225.00	0.20	\$45.00

#### Trust Account Balance

Date	item	Amount	Balance
10/3/2019	Current Balance		\$0.00



12325 Hymeadow Drive, Ste. 2-100 Austin, Texas 78750 Email: Info@TexasMunicipalLawyers.com Phone: (512) 250-0411 Fax: (512) 250-0749

### **INVOICE**

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473

Number	8313
Issue Date	10/31/2019
Due Date	11/30/2019

#### San Felipe-General

Time Entry	Billed By	Rate	Hours	Sub
9/27/2019 Draft tax rate ratification ordinance under specifications of Tax Code Section 26.05(c)	Alessandra Gad	\$155.00	2.10	\$325.50
10/2/2019 Received and responded to email related to updating the . Telephone call with	Tad Cleaves	\$170.00	0.30	\$51.00
10/4/2019 Drafted and emailed	Tad Cleaves	\$170.00	0.50	\$85.00
10/17/2019 Telephone call from to discuss	Tad Cleaves	\$170.00	0.40	\$68.00
Drafting amended  Telephone calls with and to discuss	Tad Cleaves	\$170.00	2.30	\$391.00
10/25/2019 Drafted and mailed letter to Attorney General	Kevin L Campbell	\$100.00	0.60	\$60.00
		Time Entries Total	6.20	\$980.50
Expense	Billed By	Price	Qty	Sub
Postage Certified Mail with return receipt for Attorney General	Kevin L Campbell	\$7.90	1.00	\$7.90
IRS 2019 Mileage Rate \$.58 Mileage to/from Post office - 2.2 miles @ \$.58	Kevin L Campbell	\$1.28	1.00	\$1.28
Westlaw on-line research	Geri Jarl	\$2.46	1.00	\$2.46

	Expense	Case 4:23-cv-04815	Document 1-14	Filed o	n 12/27/23 in TXSD	Page 32 of 7	'8 og. 32 Sub
٠	•				Expenses Total:	3.00	\$11.64
					Total.		
					Total for San Felipe-Gen	eral	\$992.14

### San Felipe-Open Records

Time Entry	Billed By	Rate	Hours	Sub
10/2/2019  McAllister 9.18.19 - Revievand confirm status of response with	Britney Long	\$100.00	0.30	\$30.00
10/8/2019 McAllister 9.24.19 - Review email from requestor; review original request and compare with new request.	Britney Long	\$100.00	0.30	\$30.00
10/23/2019 Kelly 8.22.19 - Call from Jennifer Copeland at the Attorney General's Office regarding e-filing issue and request for resubmittal of 15 day brief.	Britney Long	\$100.00	0.40	\$40.00
10/24/2019 Kelly 8.22.19 - Prepare documents for Attorney General to provide 15 day brief by mail after e-filing problem.	Britney Long	\$100.00	0.40	\$40.00
10/25/2019 Draft letter to Attorney General regarding resubmission of documents and proof of previous submission.	Britney Long	\$100.00	0.20	\$20.00
		Time Entries Total	1.60	\$160.00
		Total for San Felipe- Re	Open cords	\$160.00
		Total (	USD)	\$1,152.14
			Paid	\$0.00
		Bal	ance	\$1,152.14
		Total Outstar	nding	\$1,152.14

Make checks payable to Bojorquez Law Firm, PC
Tax ID#27-0818127
ALL PAST DUE AMOUNTS ARE SUBJECT TO INTEREST CHARGES

### Timekeeper Totals

Name	Rate	Hours	Total
Alessandra Gad	\$155.00	2.10	\$325.50
Britney Long	\$100.00	1.60	\$160.00
Kevin L Campbell	\$100.00	0.60	\$60.00
Tad Cleaves	\$170.00	3.50	\$595.00

#### Trust Account Balance

Date	Item	Amount	Balance
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			
10/31/2019	Current Balance		\$0.00



12325 Hymeadow Drive, Ste 2-100 Austin, Texas 78750 Email. Info@TexasMunicipalLawyers.com Phone: (512) 250-0411 Fax: (512) 250-0749

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473 # 23200

INVOICE

Number	8370
Issue Date	11/30/2019
Due Date	12/30/2019

#### San Felipe-General

Time Entries	Billed By	Rate	Hours	Sub
10/31/2019 Confirm council meeting schedule and agenda posting.	Britney Long	\$100.00	0.20	\$20.00
11/1/2019 Check City website for new agenda posting; calendar follow up.	Britney Long	\$100.00	0.20	\$20.00
Telephone call from related to Reviewed statutes related to email to	Tad Cleaves	\$170.00	0.40	\$68.00
11/20/2019 and email to regarding	Tad Cleaves	\$170.00	0.20	\$34.00
		Time Entries Total	1.00	\$142.00
		Total for San Felipe	e-General	\$142.00

#### San Felipe-Open Records

Time Entries	Billed By	Rate	Hours	Sub
11/20/2019  Kelly 8 22 19 - Paview response from Attamoy Gonomi and	Britney Long	\$100.00	0.30	\$30.00

Kelly 8.22.19 - Review response from Attorney General and representative sample provided from Attorney General's office; save documents to client file and reset deadline.

#### 

Case 4.25-cv-04013	Tilled off.	12/21/25 111 17(30	_	bit 14, pg. 35
Time Entries	Billed By	Rate	Hours	Sub
11/21/2019 Kelly 8.22.19 - Analyze how best to provide requestor with a copy of Attorney General opinion and next steps for compliance with opinion; review entire document package from Attorney General to ensure no additional markups and notes received.	Britney Long	\$100.00	0.60	\$60.00
		Time Entries Total	0.90	\$90.00
		Total for San Felipe-Op Recor		\$90.00
		Total (US	D)	\$232.00
		Pa	aid	\$0.00
		Balan	ce	\$2 <del>32.00</del>
		Total Outstandi	ng	\$232.00
Terms & Conditions				
Make checks payable to Bojorquez Law Firm, PC Tax ID#27-0818127 ALL PAST DUE AMOUNTS ARE SUBJECT TO INTEREST CHA	ARGES			

### Timekeeper Totals

Name	Rate	Hours	Total
Britney Long	\$100.00	1.30	\$130.00
Tad Cleaves	\$170.00	0.60	\$102.00

#### Trust Account Balance

Date	Item	Amount	Balance
12/4/2019	Current Balance		\$0.00



12325 Hymeadow Drive, Ste. 2-100 Austin, Texas 78750 Email: Info@TexasMunicipalLawyers com Phone: (512) 250-0411 Fax: (512) 250-0749

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473 #31080.03

INVOICE

Number 8425 Issue Date 12/31/2019 Due Date 1/31/2020

### San Felipe-General

Time Entries	Billed By	Rate	Hours	Sub
Telephone call with to discuss  Received and reviewed Reviewed  Email to regarding	Tad Cleaves	\$170.00	1.60	\$272.00
12/9/2019 Telephone calls from to discuss	Tad Cleaves	\$170.00	0.30	\$51.00
Received and reviewed statutes related to . Drafted and sent detailed email to . Telephone call from to discuss.	Tad Cleaves	\$170.00	2.60	\$442.00
12/10/2019 Telephone call from	Tad Cleaves	\$170.00	0.20	\$34.00
Telephone call from to discuss  . Received and reviewed . Emails to and from .	Tad Cleaves	\$170.00	1.90	\$323.00
12/12/2019 Meeting with regarding .	Tad Cleaves	\$170.00	0.60	\$102.00
Telephone call to regarding Email to regarding	Tad Cleaves	\$170.00	1.30	\$221.00

Time €ntrie €ase 4:23-cv-04815 Document 1-1	4 <sub>Bil</sub> Filed on	12/27/23 in TXSD	Page :	37 of 78 ibit 14, pg. 37
. Telephone call to to discuss.	Tad Cleaves	\$170.00	0.60	\$102.00
		Time Entries Total	9.10	\$1,547.00
Expense	Billed By	Price	Qty	Sub
Westlaw on-line research	Geri Jarl	\$8.43	1.00	\$8.43
		Expenses Total:	1.00	\$8.43
		Total for San Felipe-Gene	eral	\$1,555.43
San Felipe-Land Use				
Time Entries	Billed By	Rate	Hours	Sub
12/4/2019 Research regarding the property owned by GAMC, Inc to determine what ordinances the city has to enforce prior to clearing the property.	Robyn Miga	\$135.00	0.70	\$94.50
		Time Entries Total	0.70	\$94.50
		Total for San Felipe-La	ınd Ise	\$94.50
San Felipe-Open Records				
Time Entries	Billed By	Rate	Hours	Sub
12/2/2019 Kelly - Advise of the	Erin A Higginbotham	\$170.00	0.10	\$17.00
12/4/2019 Received and reviewed AG letter in response to Councilwoman Kelly's request. Coordinated response with team.	Tad Cleaves	\$170.00	0.40	\$68.00
12/5/2019 Kelly - Review status of document review and determine next steps.	Britney Long	\$100.00	0.30	\$30.00
12/9/2019 Kelly 8.22.19 - Email to regarding	Britney Long	\$100.00	0.30	\$30.00

Time Totalese 4:23-cv-04815 Docum	nent 1-14	Filmeligyn 12/2	27/23 in TXSD	Page 38	3 of 78
12/11/2019  Kelly 8.22.19 - Call with regarding the regarding regarding the regarding regarding the regarding regard	ing	Britney Long	\$100.00	0.40	\$40.00
12/13/2019 Kelly 8.22.19 - Correspondence to	regarding	Britney Long	\$100.00	0.20	\$20.00
			Time Entries Total	1.70	\$205.00
			Total for San Felipe	e-Open ecords	\$205.00
¥.			Total	(USD)	\$1,854.93
			Da	Paid lance	\$0.00
			I-8370 Previous B		\$1,854.93 \$232.00
			Total Outsta	ınding	\$2,086.93
Terms & Conditions					
Make checks payable to Bojorquez Law Firm, PC Tax ID#27-0818127 ALL PAST DUE AMOUNTS ARE SUBJECT TO I		CHARGES			
Timekeeper Totals					

Name	Rate	Hours	Total
Tad Cleaves	\$170.00	9.50	\$1,615.00
Robyn Miga	\$135.00	0.70	\$94.50
Britney Long	\$100.00	1.20	\$120.00
Erin A Higginbotham	\$170.00	0.10	\$17.00

#### Trust Account Balance

1-8425

Date	Item	Amount	Balance
12/30/2019	Current Balance		\$0.00

#### RE: San Felipe/Open Records/McAllister 2.21.20 Page 39 of 78 Exhibit 14, pg. 39

From: Sasha Swaner sasha@texasmunicipallawyers.com

To: Kent McAllister kent.mcallister@sanfelipetexas.com

Cc: suefoley@townofsanfelipe.net

Date: Monday, March 16, 4:59 PM

Attny Bills 1.20-2.20 A\_Redacted.pdf 313 KB

Mr. McAllister,

I've attached the redacted versions for the months of January and February 2020, per your request.

Thank you,

#### Sasha Swaner

Executive Assistant / Paralegal to Alan Bojorquez

Bojorquez Law Firm, PC

Work: (512) 250-0411

From: Kent McAllister < kent.mcallister@sanfelipetexas.com>

Sent: Monday, March 16, 2020 9:12 AM

To: Sasha Swaner <sasha@texasmunicipallawyers.com>

Cc: suefoley@townofsanfelipe.net

Subject: Re: San Felipe/Open Records/McAllister 2.21.20

Ms. Swaner,

The freedom of information request dated February 21, 2020 I sent asked for copies of all Town of San Felipe city attorney bills from April 2019 to February 2020. The information you provided excluded January and February of 2020. Please provide the requested information as stated in the freedom of information request.

Thank you,

Kent McAllister

Alderman, San Felipe Texas

P.O. Box 418

San Felipe, TX 77473

kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com



12325 Hymeadow Drive, Ste 2-100 Austin, Texas 78750 Email: Info@TexasMunicipalLawyers com Phone: (512) 250-0411 Fax: (512) 250-0749

#### **INVOICE**

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473

Number Issue Date 1/31/2020 Due Date 2/27/2020

#### San Felipe-General

Time Entries	Billed By	Rate	Hours	Sub
1/6/2020 Received and reviewed email and attachment related to  Drafted email to S. Foley.	Tad Cleaves	\$170.00	0.30	\$51.00
1/7/2020 Telephone call from	Tad Cleaves	\$170.00	0.20	\$34.00
1/7/2020 Reviewed Extraction 1. Email to related to the annual and and annual and annual and annual and annual annual and annual	Tad Cleaves	\$170.00	0.50	\$85.00
1/8/2020 Received and reviewed Email to	Tad Cleaves	\$170.00	0.50	\$85.00
1/10/2020 Review and revise draft May 2 election ordinance to conform with state election code and secretary of state deadlines	Alessandra Gad	\$155.00	1.70	\$263.50
1/10/2020 Evaluate H.B. 2840 and revise agenda language as well as sign-up sheet for Citizens' Comments	Alessandra Gad	\$155.00	1.10	\$170.50
1/13/2020 Further discussion with regarding	Alessandra Gad	\$155.00	0.40	\$62.00
1/15/2020 Analysis of West Lake agreement	Alessandra Gad	\$155.00	1.10	\$170.50
		Time Entries Total	5.80	\$921.50

#### San Felipe-Open Records

Time Entries	Billed By	Rate	Hours	Sub
1/8/2020 Kelly - Compile unredacted documents to apply redactions to comply with attorney general opinion.	Britney Long	\$100.00	1.60	\$160.00
1/9/2020 Kelly - Mark responsive documents for redaction.	Britney Long	\$100.00	2.70	\$270.00
1/13/2020 Kelly - Apply redactions to responsive documents in accordance with AG ruling.	Cristian Rosas-Grillet	\$170.00	0.90	\$153.00
1/16/2020 Kelly 8.22.19 - Prepare and send correspondence and responsive documents to requestor.	Britney Long	\$100.00	0.60	\$60.00
1/17/2020 Kelly 8.22.19 - Email to regarding and call to regarding	Britney Long	\$100.00	0.30	\$30.00
1/17/2020 Evaluation of PIR redactions and account number	Alessandra Gad	\$155.00	0.60	\$93.00
1/20/2020 Communications regarding finalization of PIR	Alessandra Gad	\$155.00	0.30	\$46.50
1/20/2020 Kelly - Revise and provide to	Britney Long	\$100.00	0.30	\$30.00
		Time Entries Total	7.30	\$842.50
		Total for San Feli	oe-Open Records	\$842.50
		Tota	I (USD)	\$1,764.00
			Paid	\$0.00
			Balance	\$1,764.00
		Total Outs	tanding	\$1,764.00

Make checks payable to Bojorquez Law Firm, PC
Tax ID#27-0818127
ALL PAST DUE AMOUNTS ARE SUBJECT TO INTEREST CHARGES

#### Timekeeper Totals

Name	Rate	Hours	Total
Tad Cleaves	\$170.00	1.50	\$255.00
Alessandra Gad	\$155.00	5.20	\$806.00
Britney Long	\$100.00	5.50	\$550.00
Cristian Rosas-Grillet	\$170.00	0.90	\$153.00

#### Trust Account Balance

	Transier to Operating Account		
	Transfer P-1664 Transfer to Operating Account	\$-232.00	\$0.00
1/24/2020	Payment P-1663	\$232.00	\$232.00
Date	Item	Amount	Balance



TexasMunicipalLawyers.com

11675 Jollyville Road, Ste. 300

Austin, TX 78759

Email: Info@texasmunicipallawyers.com

Phone: 512-250-0411 Fax: 512-250-0749

#### INVOICE

Number 8533 Issue Date 2/29/2020 Due Date 4/1/2020

Town of San Felipe Bobby Byars, Mayor PO Box 129 San Felipe, TX 77473

#### San Felipe-Annexation

Time Entries		Billed By	
1/31/2020	concomind	Tad Cleaves	
Telephone call with	concerning		

Billed By	Rate	Hours	Sub
Tad Cleaves	\$170.00	0.40	\$68.00

Time Entries	0.40	\$68.00
Total		

Total for San Felipe-	\$68.00
Annexation	

#### San Felipe-General

Time Entries	Billed By	Rate	Hours	Sub
1/29/2020 Evaluation of necessary tax forms (form 1099)	Alessandra Gad	\$155.00	0.20	\$31.00
2/3/2020 Communications regarding eminent domain filing	Alessandra Gad	\$155.00	0.20	\$31.00
2/7/2020 Revisions to Budget amendment ordinance	Alessandra Gad	\$155.00	1.40	\$217.00

Case 4:23-cv-04815 Document 1-1 Time Entries	4 Filed on Billed By	12/27/23 in TXSD Rate	Page 44	of 78 14, pg. 44 Sub
Telephone call from regarding Reviewed Election Code and Manual. Drafted email to and Telephone call from to discuss. Drafted form letter Email to and Follow up telephone call with	Tad Cleaves	\$170.00	2.10	\$357.00
2/19/2020 Received, reviewed and responded to email from related to Telephone call from to discuss. Received and reviewed	Tad Cleaves	\$170.00	0.80	\$136.00
2/20/2020 Draft memo on election cancellation risk	Alessandra Gad	\$155.00	1.90	\$294.50
2/20/2020 Evaluation of possible legal recourse pertaining to cancellation of election	Alessandra Gad	\$155.00	1.80	\$279.00
2/20/2020 Analysis of circumstances leading to cancellation of May election	Alessandra Gad	\$155.00	0.30	\$46.50
2/21/2020 Analysis of risk to a municipality re rejecting candidate's application for a place on the election ballot	Alessandra Gad	\$155.00	1.80	\$279.00
2/23/2020 Revisions to memo on election cancellation ordinance	Alessandra Gad	\$155.00	0.80	\$124.00
		Time Entries Total	11.30	\$1,795.00
Expense	Billed By	Price	Qty	Sub
Westlaw on-line research	Geri Jarl	\$114.26	1.00	\$114.26
		Expenses Total:	1.00	\$114.26
		Total for San Felipe-Gene	eral	\$1,909.26
San Felipe-Open Records				
Time Entries	Billed By	Rate	Hours	Sub
1/31/2020 Kelly 8.22.19 - Provide copy of Attorney General opinion to requestor.	Britney Long	\$100.00	0.20	\$20.00
2/25/2020 Telephone call from regarding	Tad Cleaves	\$170.00	0.20	\$34.00

Case 4:23-cv-04815 Document 1-14	4 Filed on 1 Billed By	.2/27/23 in TXSD Rate	Page 45	of 78 14, pg. 45 Sub
2/26/2020 McAllister 2.21.20 - Initial review and set up of request; analyze documents and determine next steps and how to respond.	Britney Long	\$100.00	0.40	\$40.00
2/26/2020 Kelly 2.21.20 - Initial review and set up of request; analyze documents and determine next steps and how to respond.	Britney Long	\$100.00	0.40	\$40.00
2/26/2020 Davidson 2.25.20 - Initial review and set up of request; analyze documents and determine next steps and how to respond.	Britney Long	\$100.00	0.40	\$40.00
2/26/2020 Reviewed records related to three open records requests. Direct team on next steps.	Tad Cleaves	\$170.00	0.40	\$68.00
		Time Entries Total	2.00	\$242.00
		Total for San Felipe-O	•	\$242.00
		Total (US	SD)	\$2,219.26
		P	aid aid	\$0.00
		Balar	псе	\$2,219.26
		I-8479 Previous Bala	nce	\$1,764.00
		Total Outstand	ing	\$3,983.26

#### Terms & Conditions

Make checks payable to Bojorquez Law Firm, PC
Tax ID#27-0818127
ALL PAST DUE AMOUNTS ARE SUBJECT TO INTEREST CHARGES

#### Timekeeper Totals

Name	Rate	Hours	Total
Tad Cleaves	\$170.00	3.90	\$663.00
Alessandra Gad	\$155.00	8.40	\$1,302.00
Britney Long	\$100.00	1,40	\$140.00



RE: Town of San Calse chiadage we have been proceed to be aldered in 12/27/23 in TXSD Page 47 of 78

Exhibit 14, pg. 47

From: Rainwater, Christopher Christopher Rainwater@dps.texas.gov

To: Kent McAllister kent.mcallister@sanfelipetexas.com

Co: Cynthia Kelly cynthia.kelly@sanfelipetexas.com

Date: Thu, Mar 26, 2020, 9:06 AM

Mr. McAllister and Mrs. Kelly,

I have received the documentation you provided from the DA's office. I am currently reviewing the investigation and I will be contacting both of you soon. Given the current situation with COVID-19, I feel it may be more appropriate to conduct our correspondence via phone for the time being. If you have any additional information/documentation please feel free to forward it to me. I just ask that you continue to provide the DA's office with the information as well.

Thanks.

Christopher D. Rainwater Texas Ranger Company "A" - Hempstead 701 Calvit Street Hempstead, TX 77445



From: Kent McAllister <kent.mcallister@sanfelipetexas.com>

Sent: Thursday, March 26, 2020 8:49 AM

To: Rainwater, Christopher < Christopher.Rainwater@dps.texas.gov>

Cc: Cynthia Kelly <cynthia.kelly@sanfelipetexas.com>

Subject: Town of San Felipe Candidate Rejection and Election Cancellation

Mr. Rainwater,

It's my understanding that the investigation into the Town of San Felipe is now being undertaken by you, and that Mr. Wolf will no longer be involved.

We have filed complaints with the Secretary of State and have been told by the Austin County District Attorney's Office that you will be investigating the suspected criminal activity related to our rejection and the cancellation of the town's election. I was told this is because you are already investigating the town on other matters. I wanted to make sure you had received the information related to the election that was sent to the DA and to see if you need anything else.

Here is a quick summary:

- 1. The Secretary of State election division confirmed in their letter that the election code states "include office sought".
- 2. The rejection letter states "The office sought was not on the application".
- 3. My application states "office of Alderman" along with my signature.
- 4. My application is dated February 7, 2020.
- 5. The city attorneys bill reflects the communication with the city administration regarding the election code on February 11, 2020.
- 6. I attended the San Felipe City Council meeting on the evening of February 11, 2020 and was seated at the council table with the city secretary/election judge.
- 7. The rejection letter is dated February 12, 2020.
- 8. The final day to sign up to be placed on the ballot was February 14, 2020
- 9. The rejection letter is postmarked February 20, 2020

Exhibit 14, pg. 48

I believe the records show a clear intent to eliminate us in retaliation for involvement with the criminal investigation and to cover up financial irregularities in the Town of San Felipe. Although the reason for rejection of my application was not true, the applications from the 2018 election clearly show corrections made by the city secretary/election judge for "certain people" in the last election.

It's my belief that the city attorney knowingly or unknowingly assisted the city secretary/election judge in election fraud, which was then supported by members of city council.

### Sec. 141.031. GENERAL REQUIREMENTS FOR APPLICATION.

- (a) A candidate's application for a place or the ballot that is required by this code must:
- (1) be in writing;
- (2) be signed and sworn to before a person authorized to administer oaths in this state by the candidate and indicate the date that the candidate swears to the application;
- (3) be timely filed with the appropriate authority; and

- (4) Case 4:23-cy-24815 Document 1-14 Filed on 12/27/23 in TXSD Page 49 of 78 Exhibit 14, pg. 49
- (A) the candidate's name;
- (B) the candidate's occupation;
- (C) the office sought, including any place number or other distinguishing number;
- (D) an indication of whether the office sought is to be filled for a full or unexpired term if the office sought and another office



"The only home I had of my own was at San Telipe." STEPHEN F. AUSTIN

### Town of San Helipe

927 Sixth Street P.O. Box 129 San Felipe, Texas 77473

"Incorporated in 1837"

February 12, 2020



Historical Town Hall since 1842

Kenton J. McAllister P. O. Box 418 San Felipe, Texas 77473

#### NOTICE OF REJECTION OF APPLICATION FOR PLACE ON BALLOT

Dear Candidate:

Notice is hereby given that the candidate's application for place on the ballot has been rejected on the following grounds:

### Case 4:23-cv-94815 "Document 1-14 Filed on 12/27/23 in TXSD Page 50 of 78 Exhibit 14, pg. 50

#### Check as applicable:

Λ	the official ballot title was not on the Application.
В.	The candidate's name was not on the Application.
C	The candidate's occupation was not on the Application.
C	The office sought was not on the Application.
E	The Application did not indicate whether the office sought it to be filled for a full or unexpired term.
ſ	The Application did not contain a statement that the candidate is a United States Citizen.
G	The Application did not contain a statement that the candidate has not been determined by a final judgment of a court exercising probate jurisdiction to be (i) totally mentally incapacitated; or (ii) partially mentally incapacitated without the right to vote.
II	The Application did not contain a statement that the candidate has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise released from the resulting disabilities.
1.	The Application did not contain the candidate's date of birth.
J	The Application did not contain the candidate's residence address or, if the residence has no address, the address at which the candidate receives mail and a concise description of the location of candidate's residence.

San Felipe de Austin "Colonial Capitol of Texas" 1824-1836

Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 51 of 78 Exhibit 14, pg. 51



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Signature of Secretary

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email Comments 123 of the Description of the discuss. Drafted form letter  Email to and and Follow up telephone call with	Filed on 12	/27/23 in TXSD	Page 52 of Exhibit 14,	
2/19/2020 Received, reviewed and responded to email from related to Telephone call from to discuss. Received and reviewed	Tad Cleaves	\$170.00	0.80	\$136.00
2/20/2020 Draft memo on election cancellation risk	Alessandra Gad	\$155.00	1.90	\$294.50
2/20/2020 Evaluation of possible legal recourse pertaining to cancellation of election	Alessandra Gad	\$155.00	1.80	\$279.00
2/20/2020 Analysis of circumstances leading to cancellation of May election	Alessandra Gad	\$155.00	0.30	\$46.50
2/21/2020 Analysis of risk to a municipality re rejecting candidate's application for a place on the election ballot	Alessandra Gad	\$155.00	1.80	\$279.00
2/23/2020 Revisions to memo on election cancellation ordinance	Alessandra Gad	\$155.00	0.80	\$124.00
		Time Entries Total	11.30	\$1,795.00
Expense	Billed By	Price	Qty	Sub
Westlaw on-line research	Geri Jarl	\$114.26	1.00	\$114.26
		Expenses Total:	1.00	\$114.26
		Total for San Felipe-	General	\$1,909.26
San Felipe-Open Records				
Time Entries	Billed By	Rate	Hours	Sub
1/31/2020 Kelly 8.22.19 - Provide copy of Attorney General opinion to requestor.	Britney Long	\$100.00	0.20	\$20.00
2/25/2020 Telephone call from regarding	Tad Cleaves	\$170.00	0.20	\$34.00

Section 141.032 of the Code provides that the candidate application review must be completed no later than the 5<sup>th</sup> day after the application is received (unless there is a petition). Accepting the application does

				Serior ITI all C		d brief de la julie.
All information is required to be provide	d unless indica	ated as optional				4.7%
APPLICATION FOR A PLACE TO City Secretary Secretary of Board	E ON THE	Ballot	City of Hours	GENERA	L ELECTION	N BALLOT
			cuction,	Mus 1-	10	,
OFFICE SOUGHT (Include any place must	re above-nam	ed official ballot a		indicated halos		
OFFICE SOUGHT (Include any place mun	nber or other	distinguishing nun	nber, if any.)		ATE TERM	
all Aldaman					ULL	
FULL NAME (First, Middle, Last)					INEXPIRED	
			PRINT NAME AS YOU W	ANT IT TO APP	EAR ON THE B	ALLOT
sout from	e ) h.		Louis 7	T. B.	unlate	-
I DEDMANENT DECIDENCE ADDRESS						
PERMANENT RESIDENCE ADDRESS (Do	not include a	P.O. Box or Rural	PUBLIC MAILING ADDRE	ESS (Campaign r	nalling addres	is, if available.)
Route. If you do not have a residence	address, des	criba tha address	PUBLIC MAILING ADDRE	ESS (Campaign r	malling addres	is, if available.)
Route If you do not have a residence at which you receive personal mail and	address, des	criba tha address	PUBLIC MAILING ADDRE	ESS (Campaign)	malling addres	s, if available.)
Route. If you do not have a residence	address, des	criba tha address	PUBLIC MAILING ADDRE	ESS (Campaign)	malling addres	is, if available.)
Route. If you do not have a residence	address, des	criba tha address	PUBLIC MAILING ADDRE	ESS (Campaign r	malling addres	ss, if available.)
Route If you do not have a residence at which you receive personal mail and	address, des location of re	cribe the address (sidence.)	POBLIC MAILING ADOR:	ESS (Campaign r	mailing addres	is, if available.)
Route If you do not have a residence at which you receive personal mail and 2 980 Stoc	andress, des location of re	Rd.	2980 S	ESS (Campaign r	mailing addres	is, if available.)
Route If you do not have a residence at which you receive personal mail and 2 980 Stoc	andress, des location of re	Rd.	2980 S	ESS (Campaign r	mailing addres	is, if available.)
2980 Stoc  city  SAW PeliPi	A O I d STATE Tex	Rd.	2980 5 CITY SER 14	ESS (Campaign r	Kold (	RJ.
2986 Stoc	A O I d STATE Tex	Rd.	2980 5 CITY SER 14	+ o C	state Tex voter rec	RJ.  ZIP  77474
2980 Stoc  city  SAW PeliPi	A O I d STATE TEX OCCU	Rd.  ZIP  2747A  PATION (Do not le	2980 5 CITY SER 14	+ o C	Kold (	RJ.  ZIP  77474
Rouse If you do not have a residence at which you receive personal mail and 2 980 Stoc City  SAW Peli Pi  PUBLIC EMAIL ADDRESS (If available)	Andress, des location of re	Rd.  ZIP  7747L  PATION (Do not le	2980 5 CITY SER 1Y Cave blank) DATE OF BI	+ o C	STATE Tex VOTER REG NUMBER	ZIP  77474  GISTRATION VUID Optional)
2980 Stoc  city  SAN Peli Pi	Andress, des location of re	Rd.  ZIP  7747L  PATION (Do not le	2980 5 CITY SER 14	TH DENCE AS OF D	STATE  Tex  VOTER REG NUMBER	ZIP  77474  GISTRATION VUID Optional)
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this state. I have not been finally convicted of a felony for which I have	swear that I will support and defend the Constitution and laws of ave not been pardoned or had my full rights of citizenship restored by other court exercising probate jurisdiction to be totally mentally incapacitated or e of the nepotism law, Chapter 573, Government Code.
X	Jana C. Bonnes SIGNATURE OF CANDIDATE
Incheane teles	SEANE FOLEY  SEANE FOLEY  STATE OF TEXAS  Be of Officer Administering Oath  A DUM  SEANE FOLEY  Public  STATE OF TEXAS  My Comm. Exp. 11 + 2018
Voter Registration Status Verified Date Received	Signature of Secretary (VIII.4SAm
2/21/2018 Venfedby Pheida V. Bo at Vorcamico.	
at Vorkameo,	
Frequest that me name beight ad on the above pages to the	OTT (CER) E/CEGENERAL ELECTION BALLOT
the state of the s	INDICATE TERM
AldER MAAN FULL NAME (FIRST MIGHE LEST)	FULL
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	SAN Felipe, TY 77473
CITY STATE ZIP	CITY STATE ZIP
PUBLIC EMAIL ADDRESS (if available)  OCCUPATION (Don  DSP	
TELEPHONE CONTACT INFORMATION (Optional) Home: 979-885-709/	INGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN IN STATE IN TERRITORY ELECTED FROM  22 year (s) year (s)

All information is required to be provided APPLICATION FOR A PLANTO-City Secretary, secretary of Board in Paguest that my name be plant on OFFICE SOUGHT (include any plant in FULL NAME (First, Middle, Last)  PERMANENT RESIDENCE ADDRESS (D. Route. If you do not have a residence at which you receive personal mail and 3426. The message of the City  PUBLIC EMAIL ADDRESS (if available)	the above name in the above name in the above name in the distriction of resider in the district	Box or Rural the address	PRINT NAME AS YOU PUBLIC MAILING ALL SEALY	GENE  (Foliage D. De  image indicated by  IN  C  DU WANT IT TO A  ***/PGL  DDRESS (Campaig	ERAL ELECTION  FOR THE STATE OF	ON BALLOT
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TO City Secretary Secretary of Board  Traquest that my name be placed on  OFFICE SOUGHT (include any place of	CE ON THE 7	ty office	Exis' Electrons  a candidate for their  mber, if any )	GENE	ERAL ELECTION  FULL  JUNE YERS	ON BALLOT
TO: City Secretary/Secretary of Board	CE ON THE 7	ty office	ers' Election	GENE	ERAL ELECTION	2144 Traji Be 1 v. 1
AFFLICATION FOR A PLAT	CE ON THE	FB 54 T		GENE	RAL ELECTI	2144 Traji Be 1 v. 1
All information is required to be provid	ded unless indicated	as optional		neme taj	Prince Standard (1) pa	roma porto esta e cita francisci e i
	by Mental.		(01)	0.85 An		
oter Registration Status Verified	Date Receive	ed	Signature	of Secretary	1	
O BE COMPLETED BY CITY SECRETARY C See Section 1 007)	OR SECRETARY OF E	BOARD:	311	plu	4	
Sworn to and subscribed before me at S	-	No.	ary Publicar Administering		Note	ANE FOLEY FAPublic OF TEXAS Exp. 11-14-2013
		X	Brend SIGN	A NA	-12 So	ne
candidate for the office of Ald of the United States and of the State of this state. I have not been finally convious official action. I have not been determined a partially mentally incapacitated without further swear that the foregoing states	f Texas. I am a citize icted of a felony for sined by a final judg t the right to vote. I	en of the Unit which I have ment of a cou am aware of	, swear that I wed States eligible to ho not been pardoned or I rt exercising probate juthe nepotism law, Cha	ill support and de ild such office und had my full rights o irisdiction to be to pter 573, Government	fend the Constitut of citizenship re otally mentally i	fexas, being a stution and laws of stored by other
Before me, the undersigned authority, here and now duly swom, upon oath sa	lusome				)€, wi	no being by me
here and now duly sworn, upon oath sa	at least three years on this day personal ays:	it indicate a prior to this i	political, economic, so election.	PEUSom	view or affiliation	: I further swear on. I have been

TELEPH Gase 4:23-CV-04815 Document 1-1		Page 56 of 78 Exhibit 14, pg. 56
Home: 979-685-2455	LENGTH OF CONTINUOUS RESIDENT	LE AS OF DATE APPLICATION SWORN IN TERRITORY ELECTED FROM
Work: 979.836-2661	€5/_ year (s)	Le / year (s)
Cell: 7/3-560-5644	6 month(s)	
that my nickname does not constitute a does not constitute a	ballot, you are also signing and swearing to	the following statements: I further
- 11.		rengious view or aimilation. I have
Before me, the undersigned authority, on this day personal here and now duly sworn, upon eath says:		HALL , who being by
1, (name) #14/1/FD # R// candidate for the office of #14/06/2000	SENFELIA	
of the United States and of the State of Texas. I am a citize this state. I have not been finally convicted of a felony for official action. I have not been determined by a final judge partially mentally income.		
I state detail. I have not been determined by a fine	Paradition of flag flit	Tun rights of citizenship soctors die
	in the state of th	dovernment ( ada
I further swear that the foregoing statements included in m	y application are in all things true and corre	act "
	V - 11 0	
	A	
Sworn to and subscribed before me at San Fleg	SIGNATURE O	F CANDIDATE
()	this the (0 TET day of 12 Willey,	SUE LEAVE FOLE
Uni heart of less	Motor Dille	SUE LEASTAUFOLEY Notary Public
Signature of Officer Administering Oath <sup>2</sup>	TVOTAL FAUTO	STATE OF TEXAS
TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF SECRETARY OF SECRETARY	Title of Officer Administering Oath	My Comm, Exp. 11-14-201
1 2/6/2	role shot	n 1/1/
oter Registration Status Verified Date Received	Signature of Secre	tary
2 h   10	10412	and
2/21/18	(01.00	1,,,
112 mls 1. Bu 1.1		

I am also attaching a text message from October 2019. The Mayor, Bobby, didn't realize he was on a group text message. I believe the text message reflects the coordinated effort taking place. Alderman Derrick Dabney and Alderman Alfred Hall are both first cousins of the Mayor Bobby Byars.

#### Text Message Tue, Oct 8, 7:34 PM

Derrick Dabney

My apologies but has freezer go down here at work I will be late but will try to make it to the meeting

DD

Bobby Byars

They have a majority without you. Alfred is not coming

BB

**Derrick Dabney** 

Sorry but I have an emergency

#### Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 58 of 78

If you have questions or need anything else, please let me know. 281-961-0334.

Exhibit 14, pg. 58

Thank you,

Kent McAllister Alderman, San Felipe Texas P.O. Box 418 San Felipe, TX 77473 kent.mcallister@sanfelipetexas.com

SanFelipeTexas.com

**CAUTION:** This email was received from an EXTERNAL source, use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please send this email as an attachment to <a href="mailto:SPAM@dps.texas.gov">SPAM@dps.texas.gov</a>

#### 

Exhibit 14, pg. 59 2-21
Prescribed by Secretary of State
Section 141.031, Chapters 143 and 144, Texas Election Code

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED OPTIONAL							
APPLICATION FOR A PLACE	ON THE	Town of S	an tel	De Texus	GENER	RAL ELECTIO	N BALLOT
10: City Secretary/Secretary of Board		m	alf a, a	090			
I request that my name be placed on the	above-name	d official ballot as	a candidate	for the office indi	cated belo	ow.	
OFFICE SOUGHT (Include any place num	ber or other o	distinguishing nun	nber, if any.)			ICATE TERM	
					1	FULL	
						UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NA	ME AS YOU WANT	IT TO AP		BALLOT <sup>1</sup>
KENTON J. MCAL			1	ENT Me			
PERMANENT RESIDENCE ADDRESS (Do 1	not include a l	P.O. Box or Rural	PUBLIC M	AILING ADDRESS (	Campaign	mailing addre	ss, if available.)
Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)					,,		
223 PARK RD			, ,			· ·	
	14						· 'T' .
CITY							
CITY	STATE	ZIP	CITY			STATE	ZIP
SEALY	77	77474		VFELIPE	adami I	TX	77473
PUBLIC EMAIL ADDRESS (If available)		ATION (Do not lea		DATE OF BIRTH		VOTER REGI NUMBER (O	STRATION VUID
	13051	ness Cur	K.	04/18	11949	NOWBER (O	ptionary
TELEPHONE CONTACT INFORMATION (C	L optional)	LENGT	H OF CONTI	NUOUS RESIDENC		ATE ADDITION	ON SWODN
Home:	p.1.0.1.0.1	LENGT	IN STATE			RRITORY FROM	
						FICE SOUGHT I	
Work:		t	28 y	ear (s)		1 year (	s)
Cell:			mo	onth(s)		month	
If using a nickname as part of your name	to appear on	the ballot, you ar	e also signin	g and swearing to	the follow	ing statements	: I further swear
that my nickname does not constitute a commonly known by this nickname for at	slogan nor d	oes it indicate a	political, eco	onomic, social, or	religious v	view or affiliati	on. I have been
			`				PAR PART - 100 100 100 100 100 100 100 100 100 1
Before me, the undersigned authority, or	this day pers	onally appeared	(name) (Cc	ENT MEA	115	TER, W	ho being by me
here and now duly sworn, upon oath say:	5:						
"I, (name) KENT MER candidate for the office of ALDE	LLISTI	EZ, of	A	USTIN		County	Texas, being a
candidate for the office of ALDE	RMAR	1	, swe	ear that I will supp	ort and de	efend the Const	titution and laws
of the United States and of the State of T	exas. I am a c	itizen of the Unit	ed States eli	gible to hold such	office und	der the constitu	ition and laws of
this state. I have not been finally convicte official action. I have not been determine	ed of a felony ed by a final ir	idement of a sou	not been par	rdoned or had my	full rights	of citizenship r	estored by other
partially mentally incapacitated without t	he right to vo	te. I am aware of	the nepotisr	n law, Chapter 573	, Governr	nent Code.	incapacitated or
I further swear that the foregoing statem						/.	
		V	-1		1		
		$\Delta$	1	n ///	(ra	(6.	
Sworn to and subscribed before me at	al. Ty	, this the	2/2/ da	SIGNATURE OF	CANDIDA	ATE	
	1	, this the _	day o	JEANAN STA	Y PUNI	DEE ANNE	ERMA
Dellas Jema	_	Notar	71	William ON-SS-NO		otary Public, Sta omm. Expires (	ate of Texas
Signature of Officer Administering Oath <sup>4</sup>		Title of	Officer Adpr	inistering Och	OF TEN	Notary ID 37	760219
TO BE COMPLETED BY CITY SECRETARY OF (See Section 1.007)	RSECRETARY	OF BOARD: S	-	VIIA An	001	Λ	
(See Section 1.007)	Date Rec	eived		ignature of Secreta	Ill	1	
Voter Registration Status Verified	()-1	10112030	, ,	-B. Idea Co. Seciela	, y	/	

Austin Texas 78711-2070 (512) 40 4-5800

#### CODE OF FAIR CAMPAIGN **PRACTICES**

FORM CFCP COVER SHEET

OFFICE USE ONLY

Pursuant to chapter 258 of the Election Code, every condidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1. 1997, may subscribe to the code at any time.

Subscription to the Code of Fair Campaign Practices is voluntary

1 ACCOUNT HUMBER (Ethas Commission Filors	2 TYPE OF FILER	annes a com las com de finit de las especialistics de la companya de la companya de la companya de la companya
Carrier Service Service HELD	CANDIDATE [	POLITICAL COMMITTEE
	if filing as a cardidate, complete boxes 3 - 6 then relist and sign page 2	if hing for a partical committee, complete noves 7 and 5, then read and sign page 2.
3 NAME OF CANDIDATE	MR. KENT	
	the State of the S	reese e
	MALLI	STEK
4 TELEPHONE NUMBER OF CANDIDATE OF STATEMENTS	er vota vous	Exitative in
5 ADDRESS OF CANDIDATE	POBCX 418 5A	**************************************
6 OFFICE SOUGHT BY CANDIDATE	ALDERMAN	
7 NAME OF COMMITTEE		
8 NAME OF CAMPAIGN TREASURER	MR. KEN	
	M'ALL	13TE16
	GO TO PAGE 2	renderverher er a medicte eine beier adsselliche het die und des deutsche deutsche Aussellsen abgebeit wie zuw

Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 61 of 78
Texas Ethics Commission P.O. Box 12070 Austin Texas 78711-2070 (512) 463-5300 Exhibit 14,800-615-2989

#### CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

#### THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defanation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

Signature

1-16-2020

Date

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA PG 2

11 CANDIDATE NAME	KENT MIALUSTER.
12 MODIFIED REPORTING DECLARATION	COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING
	•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••
	•• The modified reporting option is valid for one election cycle only. •• (An election cycle includes a primary election, a general election, and any related runoffs.)
	•• Candidates for the office of state chair of a political party may NOT choose modified reporting. ••
	I do not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded. I will be required to file pre-election reports and, if necessary, a runoff report.
	2020-2022 Year of election (s) or election cycle to which declaration applies  Signature of Candidate

This appointment is effective on the date it is filed with the appropriate filing authority.

Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 63 of 78
P.O. Box 12370 Austin Texas 73711-2070 (512, 453-5300 Exhibit) 14- (pag) 635-2950-

BY A CAN	MENT OF A	A CAMPAIGN		PG 1
Se	e CTA Instruction €	Guide for detailed instruc		1 This wayes red
2 CANDIDATE NAME	M P -	KENT MGALLIS	TER	OFFICE USE ONLY
3 CANDIDATE MAILING ADDRESS	Po Box		\$5.013	02/07/2030
4 CANDIDATE PHONE	( )	PHOTO N. MERK	7747 <u>5</u> 2000.	The rise of
5 OFFICE HELD (f any.	ALDE	RMAN		Sole early
6 OFFICE SOUGHT (f knows)		ERMAN		
7 CAMPAIGN TREASURER NAME	VS MASSIMA	KENT	M CI	ALLISTER
8 CAMPAIGN TREASURER STREET ADDRESS (as dance or business)	223	PAAL RD.	SEALY 7	7-000E TX 77474
9 CAMPAIGN TREASURER PHONE	ARE4 COUF	PHONE IN MISER	E CFETURADE.	
10 CANDIDATE SIGNATURE	I am aware of	the Nepotism Law, (	Chapter 573 of the Te	exas Government Code.
!	I am aware of the Election Co	my responsibility to lode.	file timely reports as	s required by title 15 of
!	I am aware of from corporati	the restrictions in title	∍ 15 of the Election C zations.	Code on contributions
	Sıç	gnature of Candidate	<u></u>	/-14-2020 Date Signed
		GO TO PAG	:F 2	

Exhibit 14, pg. 64

Form #2201 Rev. 09/2017 Submit to: SECRETARY OF STATE Government Filings Section P O Box 12887 Austin, TX 78711-2887 512-463-6334 512-463-5569 - Fax Filing Fee: None



#### STATEMENT OF OFFICER

#### 

Exhibit 14, pg. 65

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

www.sos.state.tx.us

	ELECTION	COMPLAINT	TO THE	ETEXAS	SE	CRETARY	OF S	TATE	
	Docket Number		OFFICE	USE	Date	e Hand-delivere	d or Date	Postmarked	
			ONLY /			/			
f	order a new election form will not alter This complaint for	Please read the Important Information at the end of this document. The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. A complaint filed with this form will not alter the results of an election.  This complaint form MUST BE SIGNED before it is submitted to the Secretary of State; therefore, you must print							
i	it out and sign it before mailing or faxing a copy or emailing a scanned, signed copy.  I. IDENTITY OF COMPLAINANT								
_			NTITYOF		INAN				
1	COMPLAINANT NAME	MS / MRS / MR		FIRST			MI		
		Kent							
		NICKNAME		LAST				SUFFIX	
				McAllister					
2	COMPLAINANT PHYSICAL	ADDRESS (TO INCLUDE APT / SUITE #	FIF APPLICABLE)		CITY		STATE	ZIP CODE	
	ADDRESS	223 Park Road 38		Se	aly		TX	77474	
		(Full	home or business a	ddress, including stree	t, city, stat	e, and zip code)			
3	COMPLAINANT MAILING	ADDRESS (TO INCLUDE APT / SUITE #	IF APPLICABLE)		CITY		STATE	ZIPCODE	
	ADDRESS  (check if same as above)	P O Box 418		San Felipe			TX	77473	
125				address, including stree		e, and zip code)			
4	COMPLAINANT TELEPHONE NUMBER	(281) 961-0334	EXT	5 COMPLAI E-MAIL ADDRESS		kent.mcalliste	r@sanfel	ipetexas.co	
				OF RESPO		NT			
6	RESPONDENT	MS / MRS / MR		FIRST			МІ	170 KAMINISTER ALTONIO (1870)	
•	NAME	Sue							
		NICKNAME		LAST				SUFFIX	
				Foley					
7	RESPONDENT POSITION OR TITLE	City Secretary/Election	n Judge						
3	RESPONDENT PHYSICAL	ADDRESS (TO INCLUDE APT / SUITE #	IF APPLICABLE)		CITY		STATE	ZIP CODE	
	ADDRESS	927 Sixth Street		Sa	n Feli <sub>l</sub>	pe	Tx	77473	
		(Fu	ll home or business	address, including stre	et, city, st	ate, and zip code)			
9	RESPONDENT MAILING	ADDRESS (TO INCLUDE APT / SUITE #	IF APPLICABLE)		CITY		STATE	ZIP CODE	
	ADDRESS  (check if same as above)	P.O. Box 129		Sa	n Felij	pe	Tx	77473	
_		(Fu	Il home or business	address, including stre	Markey street	ite, and zip code)			
0	RESPONDENT TELEPHONE	AREA CODE PHONE NUMBER	EXT	11 RESPOND		olev@townofco	nfelina n	st	
	NUMBER	(979) 885-7035		ADDRESS (IF KNOWN)	suel	oley@townofsa	mempe.ne	-t	
			GO TO	PAGE 2					

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Exhibit 14, pg. 66

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

www.sos.state.tx.us

#### III. NATURE OF ALLEGED VIOLATION

Page2

If you believe that a criminal violation of the Code has occurred, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of the Code alleged to have been violated, if known. If you need more space, please attach a separate sheet.

- 1. Violation of election code Sec. 141.032(e)
- 2. Retaliation
- 3. Abuse of power

ATTACHADDITIONAL PAGESAS NEEDED

#### Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 67 of 78

Exhibit 14, pg. 67

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

www.sos.state.tx.us

#### IV. STATEMENT OF FACTS

Page 3

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

	ELECTION IN WHICH VIOLATION(S) OCCUR	RRED			
NAME OF ELECTION TOWN OF San	Felipe General Election	DATE OF ELECTION MM/DD/YYYY	0 5 /	0 2 /	2 0
COUNTY OR POLITICAL SUBDIVISION	Austin County	PRECINCT 417			

I am currently a City Council member in the Town of San Felipe. After discovering financial irregularities, I notified our District Attorney, and an investigation began on the information provided. I have been the target of ongoing retaliation and harassment as a result.

During the sign up period to be placed on the ballot, I made multiple attempts to turn in my application. This was documented in my email to the Mayor on January 23, 2020 which states that the City Secretary/Election Official wasn't available at the City Offices. Once I made contact at the city offices on January 31, 2020, I attempted to turn in my application, but the City Secretary/Election Official refused to accept it stating that it wasn't notarized and stated she had forgotten her notary at home. I pointed out and reminded the City Secretary/Election Official that the notary was not necessary and the application clearly explained the process. The City secretary's signature is all that is needed. This was actually confirmed by the City Attorney and Secretary of State's office because of the intimidation tactics applied in the previous two elections. She responded by saying she wouldn't argue with me and then slammed the glass window refusing my application. On February 7, 2020 my application was accepted by the City Secretary/Election Official. On the last day for sign up, February 14, 2020, I went to the city offices to see who had signed up to run for a position. It has always been posted at 5pm in the past, but wasn't posted. Since Monday was Presidents' Day and the offices were closed, I waited until Tuesday morning to go to the office to find out why it wasn't posted. A police officer was there when I arrived. I heard him speaking to the City Secretary/Election Official on the phone. This was also the last day for a write in candidates. The City Secretary never arrived and I was told she would not be coming to the offices. I waited until 10:30 am before leaving. I stopped by multiple times throughout the day to see if the City Secretary/Election Official had shown up for work. After 5pm I was notified by a friend that a new notice had been posted at the city offices with the list of candidates. The list was missing three names of candidates who had signed up. On Wednesday, February 19, 2020, I sent an email to the City Secretary/Election Official and copied the Mayor and District Attorney. I also copied the Texas Ranger in charge of the investigation into the financial irregularities. The email described the complaint. I have never received any information or been contacted by the administration regarding the application.

I believe the City Secretary is using her position as the Election Official to disqualify me in order to retaliate and continue her campaign of harassment and discrimination that is well documented. I have written multiple formal complaints to the Mayor and City Council related to her behavor. There have been two executive sessions to discuss this matter. The Mayor stated that he would talk with the City Secretary and correct the issue each time. I have never received any follow up and the harassment continued.

#### ATTACH ADDITIONAL PAGES AS NEEDED

#### Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 68 of 78

Exhibit 14, pg. 68

1-800-252-VOTE (8683) www.sos.state.tx.us P.O. Box 12060 Austin, Texas 78711-2060 Texas Secretary of State V. LISTING OF DOCUMENTS AND OTHER MATERIALS Page4 List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known. Copy of application Copy of emails ATTACHADDITIONAL PAGES AS NEEDED

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Exhibit 14, pg. 69

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

www.sos.state.tx.us

VI. SIGNED STATEMENT

Page 5

I, the undersigned,

under penalty of perjury do swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.

I have read and understand the accompanying instructions, and I am aware that completion of this form cannot and will not alter the outcome of the election.

NOTICE: THIS COMPLAINT IS NOT CONFIDENTIAL; ONCE REVIEWED BY THE SECRETARY OF STATE, IT WILL BE TREATED AS A PUBLIC RECORD.

REMINDER: YOU MUST SIGN THIS FORM PRIOR TO SUBMITTING

#### IF MAILING, PLEASE SEND TO:

Texas Secretary of State Elections Division c/o Legal Dept. P.O. Box 12060 Austin, TX 78711

IF FAXING, PLEASE SEND TO: 512.475.2811

IF EMAILING, PLEASE SEND TO:

elections@sos.texas.gov

Texas Secretary of State P.O. Box 12060 Austin, Texas 78711-2060 1-800-252-VOTE (8683) www.sos.state.tx.us

#### VII. IMPORTANT INFORMATION

Pursuant to Section 31.006 of the Texas Election Code (the "Code"), the Office of the Secretary of State (the "Secretary of State") has the ability to refer elections complaints to the Office of the Attorney General (the "Attorney General"). If, after receiving a complaint alleging criminal conduct in connection with an election, the Secretary of State determines that there is reasonable cause to suspect that the alleged criminal conduct occurred, the Secretary of State shall promptly refer the complaint to the Attorney General. The Secretary of State shall deliver to the Attorney General all pertinent documents in the Secretary of State's possession.

Any person who believes that a criminal violation of the Code has occurred may file a complaint. In order to initiate the complaint process, a written and signed complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, identify the person(s) or entity responsible for the alleged violation, and contain a reference to the section of the Code alleged to have been criminally violated, if known.

The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. This form is to be used solely to document alleged election irregularities and submit allegations of criminal violations of the Code to be referred to the Attorney General. Often complaints will be Code violations that do not amount to criminal violations or acts. These violations are election irregularities which may form the basis of an election contest, but do not carry a criminal penalty. These election irregularities will not be referred to the Attorney General for possible criminal prosecution.

Challenging an election result can be done either through (1) a recount or (2) an election contest. If you are seeking to alter the outcome of the election, you will need to use one of these methods of challenging the results, described below. A complaint filed with this form will not alter the results of an election.

#### **Legal Remedies That May Alter the Election Outcome**

#### 1. Recount

Recounts are used only to recount the votes in a particular race (office) or measure. A recount does not have the scope or authority of an election contest in court, i.e., the recount committee will not look at the manner in which voters were qualified to vote in person or by mail or whether voters were eligible to vote in the election. The governing body of an entity cannot conduct a recount on its own motion, e.g., at the canvass.

Please note that recount request deadlines occur soon after the canvass - a recount must be requested not later than two days following the canvass. More information on filing recounts (including form, deposit information, and who and how to file) is available on the Secretary of State's website.

#### 2. Election Contest

If a candidate disputes the outcome of the election, regardless of whether or not a recount has been conducted, and has discovered irregularities, fraud, or mistakes in the conduct of the election that affected or could have affected the outcome, he/she can file an election contest to challenge the election results. The legal question raised by an election contest is whether the outcome of the contested election, as shown by the final canvass, is not (or cannot be conclusively determined to be) the true outcome because (1) illegal votes were counted, or because (2) an election officer or other official administering the election either (i) prevented eligible voters from voting, (ii) failed to count legal votes, (iii) engaged in fraud or illegal conduct, or (iv) erred in some material way.

Contests involving county elections are filed in the district court in the relevant county. In most circumstances, the filing deadline for an election contest is 30 days after the canvass, except in the case of a primary or an election where a runoff is necessary, in which case the deadline for filing is 10 days after the final canvass. If a recount is held and the votes are changed, the date of the canvass of the recount (i.e., final canvass) becomes the new date by which the contest deadline is calculated.

Any losing candidate may contest an election. In a contest of an officer election, the contestant files suit against the election's winner (or in the event that the election outcome is determined by majority vote rather than plurality vote, the person or persons entitled to a place on the runoff ballot). Voters at large within a political subdivision do not possess standing to intervene as parties to an election contest for public office.

In an election contest, the court has the authority to: (1) examine ballots and equipment; (2) compel voters to reveal how they voted; (3) declare an election void if illegal votes are greater than or equal to the number of votes necessary to change the outcome or cannot ascertain the true outcome of the election; (4) order a new election (or new runoff election), if unable to ascertain true outcome; (5) subtract illegal votes, if able to determine the side for which an illegal vote was cast; or (6) declare outcome of election, if able to ascertain true outcome.

If you think either a recount or an election contest is the proper procedure for the remedy you seek, you may wish to consult private legal counsel regarding your legal options. The Secretary of State staff can provide general guidance on these procedures as well.

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Exhibit 14, pg. 71
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2-21 Prescribed by Secretary of State

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Exhibit 14, pg. 74

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Case 4:23-cv-04815 Document 1-14 Filed on 12/27/23 in TXSD Page 75 of 78 Dernier is, Cit import i laband to a from the ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED OPTIONAL APPLICATION FOR A PLACE ON THE TOURS OF THE THE THE THE THE SECTION BALLOT Or City Secretary/Secretary of Board May 3, 2030 I request that my name be placed on the above-named official ballot as a candidate for the office indicated below OFFICE SOUGHT (include any place number or other distinguishing number, if any ) INDICATE TERM ALDERMAN FULL NAME (First, Middle Last) \_ JUNEXPIRED PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT. MICHAEL PAUL ELLIOTI PERMANENT RESIDENCE ADDRESS (Do not MICHAEL ELLIDIT PUBLIC MAILING ADDRESS (Campaign mailing address, if available to Paute | Eyou do not have a residence address describe the address at writh you receive personal mail and location of residence.) 1825 MANAIL RD 1825 MANUAR Rd CITY STATE SEALY RESIDENTIAL DATE OF BIRTH VOTER REGISTRATION VUID NUMBER Data CONTRACTOR TELEPHONE CONTACT INFORMATION (Optional) LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED HOT YEST IS ME 1 6 year (s) ther my ninkname dues not il postitute alsogan non does it indicate a political, economic social, or rangious view or affiliation. I have been coming by known by this nickname for at least three years prior to this election. before the undersigned authority, on this day personally appeared (name) Michael Elliot nere and row, duly sworn, upon path says There; MICHAEL PAUL ELLIDIT of SAN FELIPE AUSTIN County, leves, being a cardinale for the office of ALDERMAN swear that I will support and defend the Constitution and laws Texas I am a citizen of the United States eligible to hold such office under the constitution and law tof of the United States and of t this state of have not been finally convicted of a fellowy for which i have not been cardoned or had my full rights of citizenship restored by other official action. These not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapatitated or partielly incapacitated without the right to vote it am aware of the nepotism law, Chapter 573. Government Code further swear that the foregoing statements included in my application are in all things true and correct Muchael Sworn to and subscribed before me at YIN ELINE TOYILS this the SUE LEANE FOLE Netary Public STATE OF TEXAS ID#1139519 Signature of Officer Administering Odt My Comm. Exp. Nov. 19, 202 TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD Date Received Signature of Secretary Voter Registration Status Verified

"I, (name) Blenda Pennice Newson, of SAN Felipse Austin County, Texas, being a candidate for the office of Alder man, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of

I further swear that the foregoing statements included in my application are in all things true and correct "

Sworn to and subscribed before me at

Signature of Officer Administering Oath4

itle of Officer Administering Oath

TO BE COMPLETED BY CITY SECRETARY OR SECRETARY (See Section 1.007)

Signature

TAMI BOLTON STATE OF TEXAS ID # 12995938-4 My Comm. Expires 09-16-202

Voter Registration Status Verified 

Output

Description Status Verifi

Work.



PAGE 7 VOLUME 133 NUMBER 13

Serving Sealy and Austin County, Texas since 1887



Sanders now a Saint, PAGE 8

16 PAGES, \$1

# Coronavirus confirmed in Sealy

THURSDAY, MARCH 26, 2020

By COLE McNANNA sports@sealynews.com

The first coronavirus case has been confirmed in Sealy. A Facebook post Tuesday before noon from a Sealy resident said she had been feel-

ing ill, went through the steps and was tested at her primary care physician at Rice Medical Center in Eagle Lake on March 23 at 1 p.m.

"What I'm about to tell you is not to scare or cause panic, but solely to inform &

enlighten you all," her post starts. "As some of you know I have been sick. I assumed it was all the pollen that has been floating around & carried on with my days...until yesterday, that's when I felt so bad that I had to get

checked out by my Doctor. She immediately recognized the symptoms & had me tested for COVID-19, unfortunately my test returned a positive result."

The test confirmed "positive results are indicative of

the presence of the SARS-CoV-2 RNA;" the report states. "Clinical correlation with patient history and other diagnostic information is necessary to determine

See CORONAVIRUS, page 14

## Schools remain closed through Easter break



Cole McNanna

The Sealy ISD Board of Trustees unanimously approved extending the school closure through Easter break, allowing teachers an in-service day April 13 before bringing students back on April 14.

## Sealy teachers return April 13, students April 14

By COLE McNANNA sports@sealynews.com

The Sealy ISD Board of Trustees unanimously approved extending school closures for another three weeks at an emergency meeting March 18 at the Sealy ISD administration building.

Teachers will have an in-service day on April 13 and students return on April 14.

"Things are changing not daily but hourly," said Sealy Superintendent Sheryl Moore. "We could be back here in a couple of weeks making a different decision, but I think it's only fair to our families and our faculty and staff to make a decision today."

After a brief discussion, Joe Mike Young made the motion

"Things are changing not daily but hourly. We could be back here in a couple of weeks making a different decision, but I think it's only fair to our families and our faculty and staff to make a decision today."

- SEALY SUPERINTENDENT SHERYL MOORE

and Jay Aguado seconded the motion and it passed 6-0 to close school through Easter break. Despite the time out of school, the learning will not stop, the board said. Online instructions were available to start this week.

"For our pre-k through fifth grade, we will have packets and students that have access to internet at home, they can access all of that on their own at home," Moore said. "If

See CLOSED, page 15



Cole McNanna

The Sealy City Council meets in an emergency session Friday afternoon at the Hill Center to discuss extending the disaster declaration issued by the mayor on Monday. The council extended the declaration indefinitely.

## Council extends disaster declaration

Clinic received five coronavirus test kits

> By COLE McNANNA sports@sealynews.com

At an emergency meeting of the Sealy City Council Friday afternoon at W.E. Hill Community Center, a motion was passed unanimously to extend the city's declaration disaster indefinitely to help stop the spread of the coronavirus.

The discussion amongst the council was that they didn't want to put an exact time restriction on it so they could lift it later at their discretion.

"I kind of like the idea of leaving it indefinitely and then letting us make the call when we want to rescind it," said Councilmember Dee Anne Lerma.

"I think things will change pretty frequently," said Councilmember Adam Burttschell. "If at the very least it's to give periodic updates, if it's a press release, we just need to keep that communication line open with everyone.

"It's imperative to be as open as possible and

See DISASTER, page 14

## San Felipe rejects candidates, cancels election

## Alderpersons allege discrimination by city election official

By JOE SOUTHERN editor@sealynews.com

Two incumbent San Felipe alderpersons whose applications for re-election were rejected by City Secretary/ Election Official Sue Foley claim her treatment of them demonstrates a pattern of discrimination against them.

Kent McAllister and Cynthia Kelly were elected to serve on the board in 2018 but are being forced off in May after Foley rejected their applications due to clerical errors. They claim she

See OFFICIAL, page 5

## Two incumbents had applications rejected for errors

By JOE SOUTHERN editor@sealynews.com

The Town of San Felipe canceled its May 2 election because there are only three candidates for the three

open seats on the town council. That didn't sit well with the other three candidates who had their applications rejected, including two incumbents. The three of them incumbents Kent McAllister and Cynthia Kelly and newcomer Jeffrey Davidson - complained at the March 10 town council meeting that they were being treated unfairly by City Secretary/Election Judge Sue Foley. The council nonetheless voted 3-2 to cancel the election without discussing the motion

See ERRORS, page 5

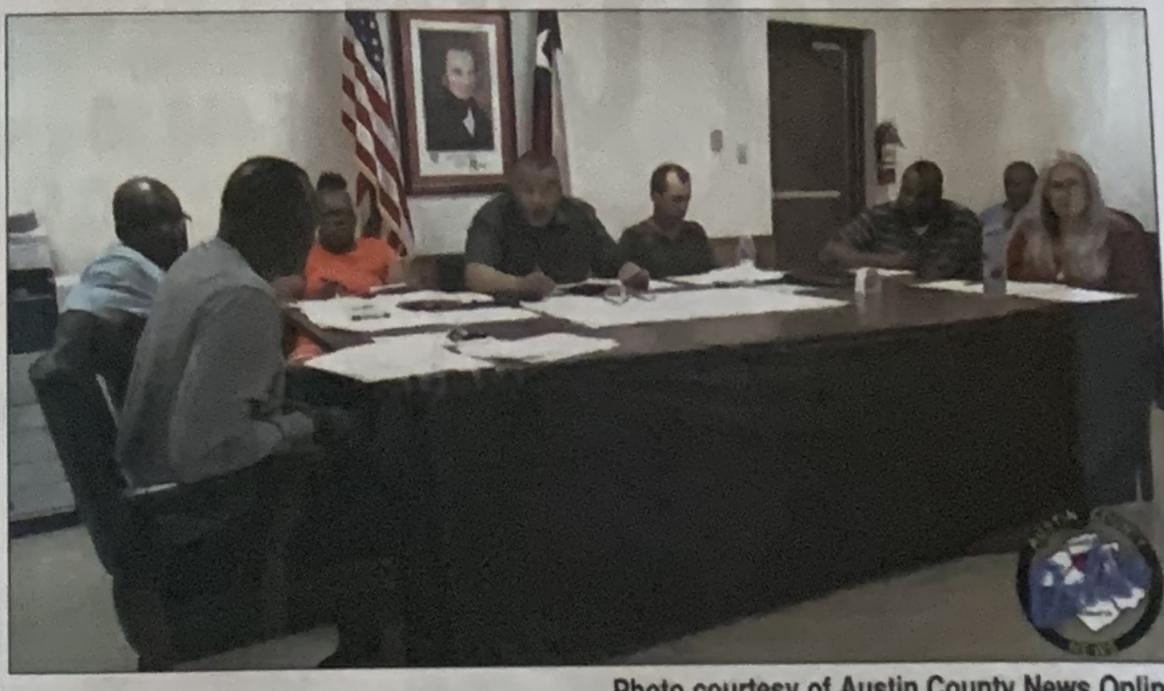
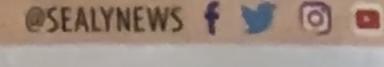


Photo courtesy of Austin County News Online

Pictured at the March 10 San Felipe Town Council meeting are, from the left, Alderman Larry Gentry, Alderman Alfred Hall, City Secretary Sue Foley, Mayor Bobby Byars, Alderman Kent McAllister, Alderman Derrick Dabney, and Alderwoman Cynthia Kelly. McAllister and Kelly are being forced off the council after Foley rejected their ballot applications.

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## WEATHER

H/L/RAIN DAY 90/70/10% Thursday 91/72/20% Friday 76/55/40% Saturday 79/59/10% Sunday 73/61/50% Monday 75/54/40% Tuesday 79/59/10% Wednesday

## **SPORTS**



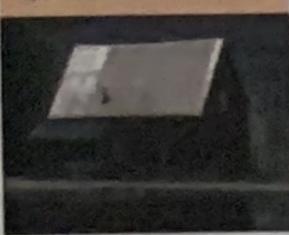
Senior seasons slipping away, PAGE 8

## **SPORTS**



Texans trade Hopkins, PAGE 9

## SPORTS



Combating cabin fever, PAGE 14

## **BIBLE VERSE**

We know that in all things God works for the good of those who love him, who have been called according to his purpose. - Romans 8:28



amongst themselves. Prior to the vote, the three rejected candidates and two other members of the public spoke out.

"I'm very, very disappointed," Davidson said, "very disappointed in the election judge, very disappointed in this town that you will allow that to happen. That should not happen when we all know each other in this town," he said.

Davidson said he turned in his application to Foley on Feb. 7, a week before the Feb. 14 filing deadline. He attended the Feb. 11 town council meeting and nothing was said to him.

"Also, on Feb. 20, a letter was mailed, 11 days after I submitted my application, of my being rejected," he said.

He said his application was rejected because he wrote his name in the wrong box. He said he wasn't going to appeal the decision and added that as a Christian he would pray for the council.

McAllister was notified by Foley in a letter that he did not include the office sought on the application, even though it is clearly stated at the bottom of the application near his signature. He accused Foley of retaliation because he and Kelly initiated a criminal investigation by the Texas Rangers and District Attorney Travis Koehn into the town's finances and numerous other issues.

"Cynthia and I noticed what we thought were financial irregularities and we began researching them," McAllister said. "That led to the auditor confirming some of our concerns and I think that we are, by law, whistleblowers and protected by state law. And I believe I'm being retaliated against for my involvement in that investigation."

He said he and Kelly filed a complaint with the Texas Secretary of State and said a decision was still pending.

"I don't believe it was a mistake that I was eliminated or rejected," he said.

McAllister made a motion to table the cancelation for one month to allow the Secretary of State's office time to rule on their complaint. That motion failed 2-3 Kelly and with McAllister being the two to vote for it.

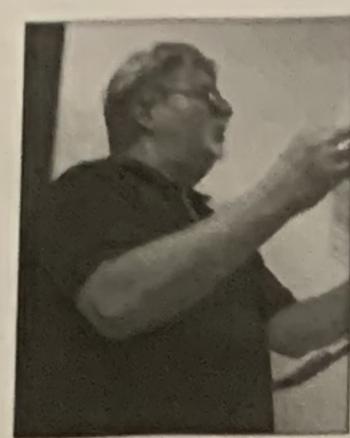
Kelly said she never did receive a letter from Foley stating why her application was reject-

to FOIA (Freedom of Information Act) the application to out why I was rejected," she said. "It was a clerical error. I We all make admit. from mistakes time to time. My concern about that is that a clerical error should not disqualify somebody from being able to run

for office." She said that the three rejected candidates, "should have the right to correct their applications, correct their errors, and run and let the people decide who they want to sit on

their council." Skrivanek, Michael former chairman of the County Austin Republican Party, said clerical errors shouldn't disqualify a candidate.

"As the Republican 18 years chairman for I've accepted applications every time people put the wrong date and all kinds of stuff," he always said. The accepted



Jeffrey Davidson addresses the San Felipe Town Council on March 10 regarding his rejected application for a place on the election ballot for town alderman.

Secretary of State's office always says to accept these."

Barbra Zeigler, whose husband Jeff Zeigler is a former alderman, insinuated sinister dealings in town government.

"It appears that at every meeting of late some kind of inappropriate dealings have been brought to the surface," she said. "It seems like everything from the town audit revealing inconsistencies with how town funds are spent to improper annexations bringing property into the town, and now we have these elections. From what I can see from the proposed ballot for the May election it appears the citizens of San Felipe are not able to vote for who they want for city council. That right for the people to vote for who represents us has been taken away by the election judge."

"Why is this? What's the explanation for it?" she continued. "Is it an attempt to cover-up something that's going on? It appears to be very suspicious."

Zeigler continued with her comments when Mayor Bobby She said Kelly had Byars interrupted her. two blanks on the appli-

"Are you going to address the topic that we're fixing to vote on? Then you'd better address it in a hurry because all of this is way off topic," he said.

After Zeigler finished, Byars went on the defensive.

"I have been attacked on these councils for the last five years," he said. "Facebook has attacked everyone on this council for the last three years. I have not said one negative word about anybody up here on Facebook. Not one. But we want to talk about Christianity tonight? The Bible says judge not lest ye be judged. I read these Facebook pages and I see who's commenting on it. So these very people who are telling us about Christianity tonight are saying all these ugly and negative remarks about people up here and this town's getting a bad name."

Once the discussion ended, Byars called for

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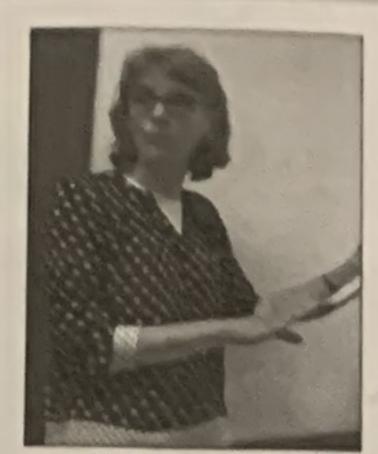
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Photo courtesy of Austin County News Online Barbra Zeigler addresses the San Felipe Town Council on March 10.

a motion. Alderman Alfred Hall, one of the three candidates on the ballot along with Michael Elliot and foralderwoman mer Branda Newsome, made the motion to accept the election ballot. With no further discussion, it passed 3-2 with aldermen Derrick Dabney, Larry Gentry, and Hall voting for and Kelly and McAllister voting against. The next item on the agenda was cancelation of the election. Hall again made the motion and it passed with the same 3-2 split.

### Foley defends herself

In a phone interview with The Sealy News on March 20, Foley defended her actions in rejecting the three applications. She said as the election official she has five days after receiving an application to review it. She said she found errors on all three and sent each candidate a form letter with checked boxes indicating the reason for rejection.

"We're supposed to notify the candidates and that's basically what I did," she said. cation that were not filled in. McAllister did not fill in the office sought in the top blank, and Davidson put his name in the blank at top where the name of the town should have gone.

"There is no conspiracy here," she said. "I have to treat everyone fairly."

### Allegations investigated

Attorney District Travis Koehn confirmed there is an investigation into the allegations but declined comment.

"Allegations against city officials in San Felipe are currently under investigation by law enforcement," he said in an email. "The appropriate law enforcement agency has been receiving updates on connected matters. Since the investigation is ongoing, my office cannot provide more information at this time."

### OFFICIAL from page 1

is retaliating against them for being whistleblowers on irregularities in the town's finances.

"Cynthia and I noticed what we thought were financial irregularities and we began researching them," McAllister said. "That led to the auditor confirming some of our concerns and I think that we are, by law, whistleblowers and protected by state law. And l believe I'm being retaliated against for my involvement in that investigation," McAllister said at the March 10 council meeting.

"This is election engineering," Kelly said in an interview with The Sealy News. "She's engineered this so there would be no election."

Foley told The Sealy News that she followed the law and treated them fairly. She said as the election official she has five days after receiving an application to review it. She said she found errors on three applications and sent each candidate a form letter with checked boxes indicating the reason for rejection.

"We're supposed to notify the candidates and that's basically what I did," she said.

She denied any discrimination in her rejection of the two incumbents and a third applicant, Jeffrey Davidson.

"There is no conspiracy here," she said. "I have to treat everyone fairly."

McAllister said he turned in his application on Feb. 7 but the postmark on his rejection notice is Feb. 20, nearly two weeks later. He also said his application has all the required blanks filled in. Kelly said her application was missing her occupation, which is a required blank.

The two said Foley gave them a hard time in 2018 and 2020 when they tried to apply for a position on the ballot. They said Foley normally notarizes the applications when they come in, but each time the two of them came to the office she failed to have her stamp with her. That included Kelly in 2019 when she ran against Mayor Bobby Byars. Most of the other applicants, however, had their applications notarized by Foley.

"We had to have someone else applications," notarized the McAllister said.

He showed copies of the applications from the three candidates whose applications for election were accepted. "We have copies of all applications. They were obtained through freedom of information. The city secretary notarized Alfred Hall's and Michael Elliott's, but Brenda Newsom had someone else notarize her application for this election," he said.

He also produced copies of applications from 2018 where he and Kelly claim Foley not only corrected errors on other applications, but actually completed the bottom half of Louis Bonner's form.

"Applications to be placed on

Member SIPC

the ballot from the 2018 election will reflect that the city secretary not only corrected three of the applicants' applications personally, she also completed the bottom section for Mr. Bonner," McAllister said. "In addition, she notarized all three applications ... The city secretary refused to notarize the applications for Cynthia Kelly or me."

In addition to seeking copies of the applications through the Freedom of Information Act, McAllister also requested copies of billing statements from the city attorney, which he received from Sasha Swaner, executive assistant/paralegal to Alan Bojorquez of the Bojorquez Law Firm. The statements arrived with names redacted. They do show, however, that there was extensive discussion between the city and the attorney regarding the election, including several phone calls during the filing period.

The bills from the attorney on Feb. 20-23 state: "Draft memo on election cancelation risk." "Evaluation of possible legal recourse pertaining to cancelation of election." "Analysis of circumstances leading to cancelation of May election." "Analysis of a risk to the municipality re rejecting candidate's placement on the election ballot." And "Revision to memo on election cancelation ordinance."

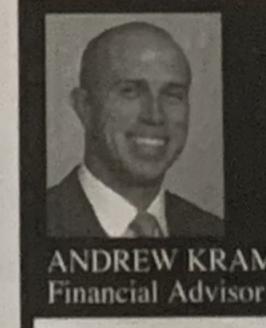
On Feb. 26 there were three invoices marked "Initial review and set up request; analyze Documents and determine next steps and how to respond."

"The attorney's bill will show that the city secretary realized she hadn't sent the required notice of rejection," McAllister said. "The city secretary backdated the notice letter and then mailed it. The postmarked envelope shows it was done after the sign-up period ended."

McAllister said he became suspicious on Friday, Feb. 14, the last day to file, when he went to city hall to look for the election notice which is traditionally posted on the front door. It wasn't. Since Monday was Presidents Day and a holiday he came back on Tuesday. There was still no list. He waited at the office for a couple hours for Foley to come in and made periodic checks throughout the day. He said Foley did not show up.

"I went to the city office to find out why names weren't posted," McAllister said. "A police officer was there when I arrived. I heard him speaking to the city secretary/election official on the phone. This was also the last day for a write-in candidate. The city secretary never arrived, and I was told she would not be coming to the offices. I waited until 10:30 a.m. before leaving. I stopped by multiple times throughout the day to see if the city secretary/ election official had shown up for work."

He said he was notified by a friend after 5 p.m. that the notice had been posted on the door and the three names left off.



FINANCIAL FOCUS brought to you each week by Edward Jones MAKING SENSE OF INVESTING

ANDREW KRAMPITZ



## It's Not Easy, But Look Past the **Market Selloff**

These are challenging times. Like everyone, you are concerned about keeping your family safe and healthy, and you're doing your part to help protect your community from the effects of the coronavirus. And if you're an investor, you must also address your financial situation. How should you respond to the current market volatility and recent declines in investment prices?

For one thing, try to avoid what many others seem to be doing: panicking. The market selloff may feel unsettling, but it appears to be driven as much, or more, by fear and panic than by economic or financial reality.

Uncertainty is high, but there are reasons - solid, objective reasons - that provide more confidence in the longer-term outlook, suggesting that conditions still warrant an eventual rebound. U.S. unemployment entered this situation near a 50-year low, with solid wage growth. We will see a temporary disruption to the labor market, of course, along with a decline in economic activity, but households entered this period in generally good shape. Furthermore, housing market indicators were movingupward and the decline in mortgage rates could add more strength. Also, the Federal Reserve's recent interest rate cuts, taking short-term rates back near 0%, will support the economic rebound as the impact of the virus containment efforts eventually fade.

In addition, while further volatility and the potential for further weakness will likely continue, the steep drops we've already seen indicate that the financial markets have "priced in" the likelihood of a short-term recession, which may mean that the worst of the stock market pain has already been endured, though, of course, there are no guarantees.

First, though, it seems likely that the investment world will finally calm down only when the health situation shows signs of containment - and this will inevitably happen, despite the

grim reports we are seeing these days. As a country, we have the motivation, the will, the solidarity and the resources to defeat the coronavirus and its effects, despite the pain and trauma it is now undoubtedly causing.

So, back to our original question: What should you do? Here are a few suggestions:

· Remember why you're investing. Given the market decline, you may be tempted to change your investment strategy. But keep in mind that your financial goals, such as a comfortable retirement, are longer-term than the shelf life of the coronavirus. These goals, not today's headlines, should guide your decisions.

 Re-evaluate your risk tolerance. The recent volatility provides a good test of your ability to weather shortterm swings in your partfalia. If you're having a hard time coping with these losses, your portfolio may be positioned too aggressively for your risk tolerance. If so, you might want to adjust your portfolio mix to include more fixed-income securities, which can help provide more "downside" protection. However, this

would also affect your long-term growth potential. · Look for buying apportunities. Stocks are now at their most compelling values in more than a decade - in other words, there are plenty of compelling investments out there. You can find many high-quality investments at very good prices, so you may want to consider taking advantage of the opportunity.

These are trying times for all of us. But as an investor, you'll help yourself greatly if you keep the situation in perspective, take a long-term view, evaluate your own risk tolerance and be receptive to new possibilities.

This article was written by Edward Jones for use by your local Edward Jones Financial Advisor

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